

March 31, 2010

By Hand Delivery

Wharton Township Supervisors
PO Box 1
Farmington, PA
Attn: The Honorable Jim Means, Chairman

Fayette County Commissioners
Fayette County Courthouse
61 East Main Street
Uniontown, PA 15401
Attn: Commissioner Vince Zapotosky, Chairman

Wharton Township Planning Commission
PO Box 1
Farmington, PA
Attn: Bill Watts, Chairman, Chairman

Re: Application of Woodlands Fayette, LLC, wholly-owned subsidiary of Nemacolin Woodlands, Inc., for a Category 3 Slot Machine License (the "Nemacolin Application")

Dear Sirs and Madams:

This letter, the attached documents prepared by McMillen Engineering Inc., and the attached tourism impact study prepared by Isle of Capri Casinos, Inc. constitute the Local Impact Report required by the Pennsylvania Gaming Control Board (the "Board") to be served on local officials pursuant to the Board's regulations at 58 Pa. Code § 441a.3(d). Nemacolin Woodlands Resort ("Nemacolin") is pleased to provide these materials to you for your information and consideration and to demonstrate the positive economic impact and other benefits that the proposed Lady Luck Casino at Nemacolin will bring to Wharton Township and Fayette County.

As you will see, this letter is divided into three sections. First, we briefly describe the proposed Lady Luck Casino at Nemacolin. Second, we detail the proposed casino's positive impact on the local community. Finally, we detail the absence of adverse impact on the various municipal resources and services set forth in the Board's regulations at 58 Pa. Code § 441a.3(d) and in Appendix 41 of the Application.

Introduction to the Proposed Lady Luck Casino at Nemacolin

As you may already be aware, Nemacolin is pleased to have Isle of Capri Casinos, Inc. ("Isle of Capri"), one of the country's most respected gaming operators, manage the proposed casino through its wholly-owned subsidiary, IOC-PA, L.L.C. Isle of Capri is planning Lady Luck Casino at Nemacolin to be a flagship property. Lady Luck, a signature brand of Isle of Capri, is designed to

have a friendly and energetic atmosphere and is focused on providing great games, live entertainment, local food favorites at reasonable prices, and convenient parking.

If approved by the Board, the proposed Lady Luck Casino at Nemacolin will be located at the corner of Route 40 and Smith School Road in Wharton Township. An existing 54,000 square foot facility will be redeveloped and expanded to 61,543 square feet and feature 600 slot machines, 28 table games, and two restaurants. This proposed casino will be a wonderful fit with the many existing amenities at Nemacolin, including its two 18-hole golf courses, world-class Woodlands Spa, and 14 specialty retail shops.

Positive Impact of the Proposed Lady Luck Casino at Nemacolin

The proposed Lady Luck Casino at Nemacolin will deliver significant beneficial outcomes for the Township and County, including:

- Significant additional direct tax revenue for the Township and County (as well as the Commonwealth) as detailed below:

Year	Slot Machine and Table Game Tax Revenue ¹				
	State Gaming Fund & Property Tax Relief	Fayette County Host Fees	Wharton Township Host Fees	Economic Development Assessment	General Fund Revenue ²
2011	\$7,524,501	\$525,448	\$525,448	\$1,106,544	\$579,809
2012	\$17,639,857	\$1,231,819	\$1,231,819	\$2,594,097	\$1,359,260
2013	\$17,146,349	\$1,197,356	\$1,197,356	\$2,521,522	\$1,211,130
2014	\$17,575,008	\$1,227,290	\$1,227,290	\$2,584,560	\$1,160,797
2015	\$18,014,383	\$1,257,972	\$1,257,972	\$2,649,174	\$1,189,817
2016	\$18,464,743	\$1,289,422	\$1,289,422	\$2,715,403	\$1,219,562
Total	\$96,364,841	\$6,729,307	\$6,729,307	\$14,171,300	\$6,720,375

- Creation of an estimated 400 employment positions to operate the proposed casino;
- Creation of an estimated 120 temporary construction jobs during the expansion and redevelopment of the existing facility for the proposed casino;

¹ Tax revenue is projected for the first year of operation (2011 – partial) and the five (5) full years of operation thereafter (2012 – 2016) based on the revenue projections developed by Nemacolin's gaming market expert, TMG Consulting.

² The "General Fund Revenue" detailed above is paid to the Commonwealth's General Fund and is based on a 14% tax rate of the proposed casino's table game revenue for the first two years of operation and a 12% tax rate thereafter, effective 2013.

- Creation of an estimated 200 employment positions at the non-gaming components of the resort as new business is generated as a result of having a gaming amenity;
- Enhancement of Township and County tourism marketing efforts by adding a new and exciting entertainment option;
- A goal to utilize local suppliers and vendors in the construction, procurement of fixtures and operation of the development; and
- Establishing protected left turning lanes for safer transportation along Route 40.

Absence of Adverse Impact on Municipal Resources and Services

Because Nemacolin Woodlands Resort is an existing world-class tourist destination and is essentially self-supportive in the supply of utilities and services, we believe there will be little to no adverse impact on Township or County services.

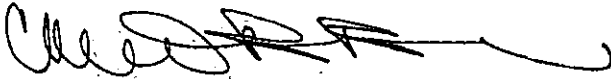
- ***Traffic:*** The Pennsylvania Department of Transportation-approved Traffic Impact Study conducted in December 2005, and updated with amendments in November 2006 and January 2010, analyzed the impact of the proposed casino on the SR 0040 corridor. The study, summarized in the attached local impact report, recommended installation of a signalized driveway at the proposed casino entrance and concluded that with the installation of the driveway, there will be a positive impact on traffic flow.
- ***Transit Access:*** Public transportation access to the proposed casino, as described in the local impact report, has "considerable capacity." On-site public and private bus parking facilities ensure that there will be no adverse impact on the local community from bus parking.
- ***Parking:*** With plans for more than sufficient on-site parking, the local impact report concludes that there will be no adverse impact on the local community due to parking.
- ***Housing:*** Well in advance of this application, Nemacolin Woodlands Resort recognized the need for additional housing in the local community for its expanding work force and constructed additional employee housing. With this previously constructed housing, and any additional housing that private contractors may construct, no shortage of housing will result in the local community.

Fayette County Commissioners
Wharton Township Supervisors
Wharton Township Planning Commission
March 31, 2010
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- **Water Supply:** With two water sources – the National Pike Water Authority and a private well system, the existing facility has sufficient capacity for 2,000 gallons per minute. Peak water usage projections that include the proposed casino are far below that amount.
- **Sewer Systems:** The existing internal sewage collection and treatment systems have considerable existing capacity that can accommodate the increased sewer flow without adversely affecting the local community.
- **Electric Power:** The proposed casino contemplates that the increased electric power demand would be supplied by a new extension from Nemacolin's internal electric power supply and will not impact the local community in any way.
- **Gas Supply:** Nemacolin is directly connected to a high pressure natural gas line and has more than sufficient capacity to handle increased loads without connecting to the local natural gas system.
- **Police, Fire and Emergency Services:** With the addition of Pennsylvania State Police troopers assigned to the proposed casino, and an enhanced level of service provided by Nemacolin's internal security team, existing police, fire and ambulances resources in the Wharton Township community will be able to address any increased demand for emergency services that arises from the development of the proposed casino.

Thank you for your attention and courtesy with respect to these matters. We would be pleased to discuss this letter and its attachments with you, as well as any other aspect of the Nemacolin Application, at your convenience.

Sincerely,



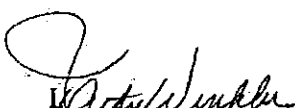
Cheri Bomar
Secretary of Woodlands Fayette, LLC and
Nemacolin Woodlands, Inc.

Fayette County Commissioners
Wharton Township Supervisors
Wharton Township Planning Commission
March 31, 2010
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cc: Senator Richard A. Kasunic
The Honorable William Shuster
John Hugya, Chief of Staff
The Honorable Peter J. Daley
The Honorable H. William DeWeese
The Honorable Deberah Kula
The Honorable R. Ted Harhai
The Honorable Mike Reese
The Honorable Tim Mahoney

Fayette County Commissioners
Wharton Township Supervisors
Wharton Township Planning Commission
March 31, 2010
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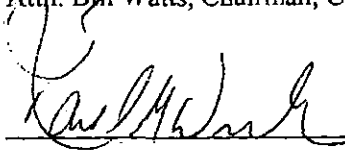
Certificate of Service

 hereby certify that on March 31, 2010, I caused a true and correct copy of the foregoing *Local Impact Report* to be served by hand delivery upon the following officials and offices listed below.

~~Wharton Township Supervisors
PO Box 1
Farmington, PA
Attn: The Honorable Jim Means, Chairman~~

Fayette County Commissioners
Fayette County Courthouse
61 East Main Street
Uniontown, PA 15401
Attn: Commissioner Vince Zapotosky, Chairman

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Farmington, PA
Attn: Bill Watts, Chairman, Chairman~~



(Received by)



(Delivered by)

Fayette County Commissioners
Wharton Township Supervisors
Wharton Township Planning Commission
March 31, 2010
Page 6

Certificate of Service

I, Kathy Winkler, hereby certify that on March 31, 2010, I caused a true and correct copy of the foregoing *Local Impact Report* to be served by hand delivery upon the following officials and offices listed below.

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~~Wharton Township Planning Commission
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Farmington, PA
Attn: Bill Watts, Chairman, Chairman~~

Kathy Winkler

(Received by)

Mary E. McMiller Jr.

(Delivered by)

Fayette County Commissioners
Wharton Township Supervisors
Wharton Township Planning Commission
March 31, 2010
Page 6

Certificate of Service

I, [Signature], hereby certify that on March 31, 2010, I caused a true and correct copy of the foregoing *Local Impact Report* to be served by hand delivery upon the following officials and offices listed below.

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Farmington, PA
Attn: Bill Watts, Chairman, Chairman~~

[Signature]

(Received by)

[Signature]

(Delivered by)

Fayette County Commissioners
Wharton Township Supervisors
Wharton Township Planning Commission
March 31, 2010
Page 6

Certificate of Service

I, Carrie Morrison hereby certify that on March 31, 2010, I caused a true and correct copy of the foregoing *Local Impact Report* to be served by hand delivery upon the following officials and offices listed below.

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Farmington, PA
Attn: The Honorable Jim Means, Chairman

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Fayette County Courthouse
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Uniontown, PA 15401
Attn: Commissioner Vince Zapotosky, Chairman~~

~~Wharton Township Planning Commission
PO Box 1
Farmington, PA
Attn: Bill Watts, Chairman, Chairman~~

Carrie Morrison

(Received by)

Jamy Stenson

(Delivered by)

Fayette County Commissioners
Wharton Township Supervisors
Wharton Township Planning Commission
March 31, 2010
Page 6

Certificate of Service

I, Carrie Morrison hereby certify that on March 31, 2010, I caused a true and correct copy of the foregoing *Local Impact Report* to be served by hand delivery upon the following officials and offices listed below.

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Attn: Commissioner Vince Zapotosky, Chairman~~

Wharton Township Planning Commission
PO Box 1
Farmington, PA
Attn: Bill Watts, Chairman, Chairman

Carrie Morrison

(Received by)

James Stenson

(Delivered by)



LOCAL IMPACT REPORT

LADY LUCK NEMACOLIN

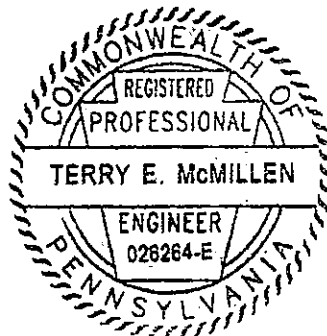
To be located at the
NEMACOLIN WOODLANDS RESORT AND SPA
Wharton Township, Fayette County, Pennsylvania

Prepared for:
WOODLANDS FAYETTE, LLC

March 30, 2010

Prepared by:
ME mcmillen
engineering
CIVIL ENGINEERS / LAND SURVEYORS

115 Wayland Smith Drive, Uniontown, PA 15401
Phone 724-439-8110 Fax 724-439-4733
Web Site www.mcmilleng.com
Email info@mcmilleng.com



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**LOCAL IMPACT REPORT
LADY LUCK NEMACOLIN
WOODLANDS FAYETTE, LLC**

INTRODUCTION

At the request of Woodlands Fayette, LLC, this report is prepared in accordance with section 441a.3(d) of the Pennsylvania Gaming Control Board Regulations to assess the impact of the proposed casino on the Farmington community and Wharton Township as a whole.

Nemacolin Woodlands Resort is essentially self-supportive and relies very little on the local community in terms of supplying utilities and services. Provided that recommended improvements are made, the report documents that the project will not have a negative impact upon the local community.

PROJECT OVERVIEW

The proposed casino project includes renovation of the existing 54,000 square foot Wildside venue (which most recently contained a restaurant, bar and indoor recreational attractions and prior to that contained the Nemacolin Outdoor World Store) along with the construction of a 7,543 square foot addition to the first floor of the existing structure. Including a new mezzanine level, the total area of the expanded facility will be 63,455 square feet. The expanded facility will be located on 30.22 acres of land in Wharton Township, Fayette County Pennsylvania. The project is located on the north side of SR 0040, National Pike, at the junction with Smith School Road, approximately one mile east of the main entrance into Nemacolin Woodlands Resort on property owned by the Nemacolin Woodlands, Inc. The total acreage of Nemacolin Woodlands Resort is 2,800 acres. The project location is shown on the attached Site Location Map (Exhibit 1) and Property Map (Exhibit 2). The project layout is shown on the attached Preliminary Layout Plan (Exhibit 3). The existing structure has all utilities connected to the private systems of Nemacolin Woodlands Resort. Site access is directly to SR 0040 and also to the private Nemacolin Woodlands Resort roadway system.

Project designs are based upon the following:

Weekday daily customers	1,341
Weekend daily customers	2,682
Additional employees for the proposed casino	
Day shift (9 am to 5 pm)	80
Evening shift (5pm - 1am)	106
Night shift (1 am - 9am)	80
Casino operations	
Number of slot machines	600
Number of table games	28
Building area square feet	63,455

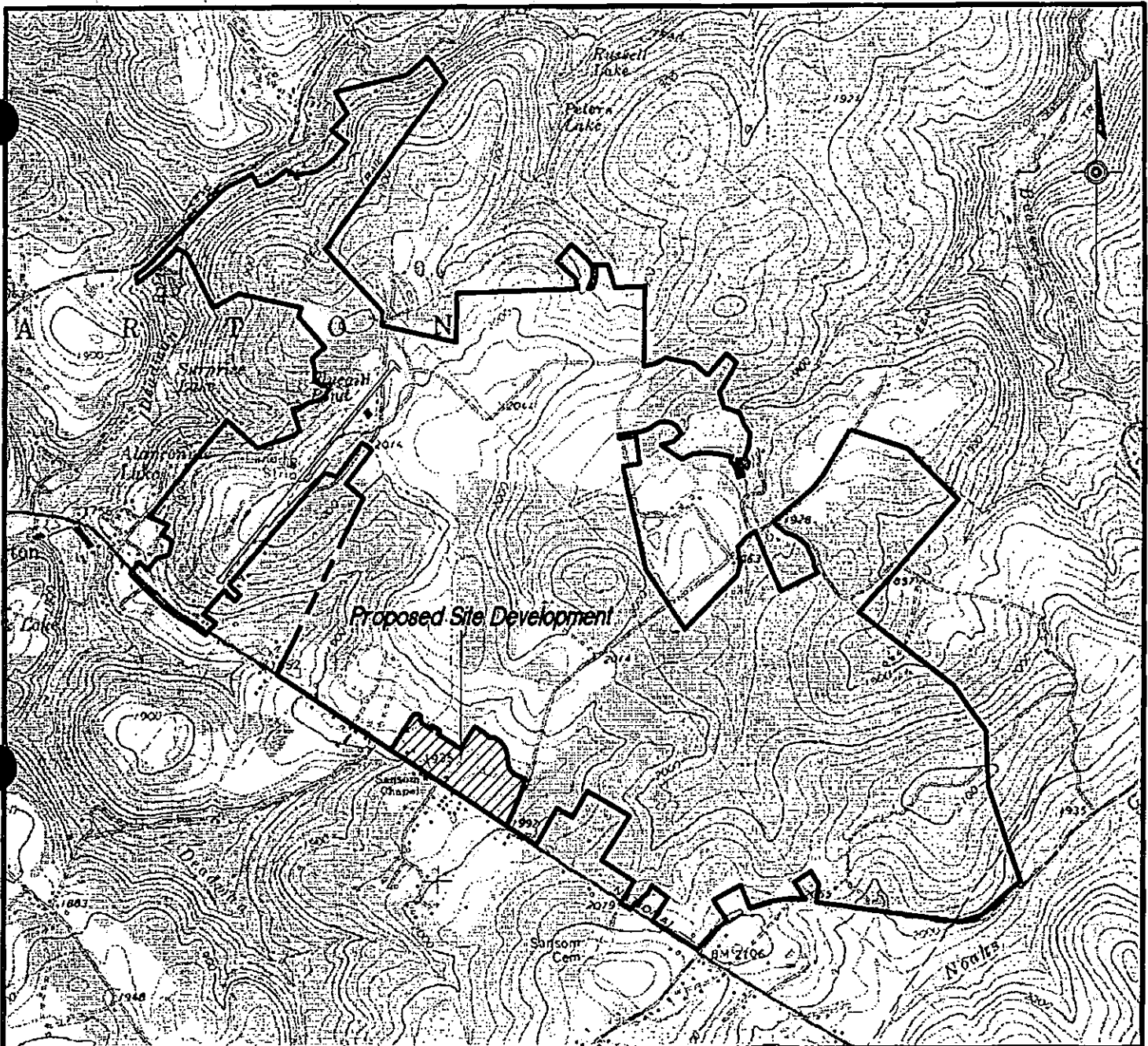


EXHIBIT 1 **SITE LOCATION MAP**

PREPARED FOR

NEMACOLIN WOODLANDS, INC.

WHARTON TOWNSHIP, FAYETTE COUNTY, PA.

PREPARED BY

MAE mcmillen
engineering

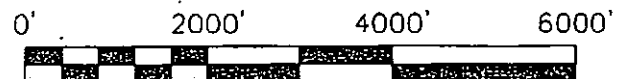
CIVIL ENGINEERS / LAND SURVEYORS

115 Wayland Smith Drive, Uniontown, PA 15401

Phone 724-439-8110 Fax 724-439-4733

Web Site www.mcmilleng.com

Email info@mcmilleng.com



Date: 3-23-2010 Scale 1" = 2000'

D.B. CM

F.B. N/A

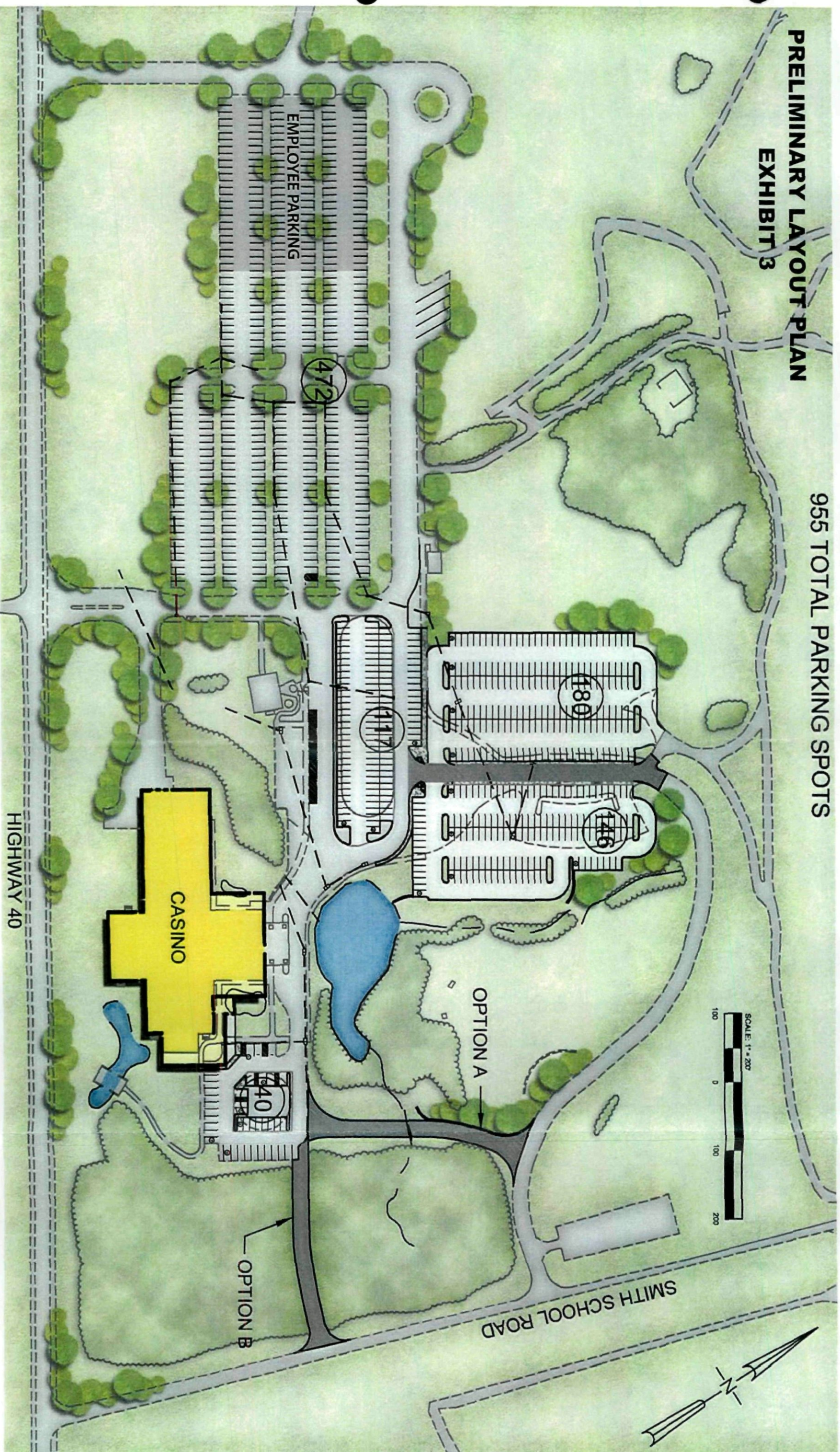
Job No. 2009-307

Drawing Location: O:\2009-300\2009-307\ SURVEY\2009-307-USGS

PRELIMINARY LAYOUT PLAN

EXHIBIT 3

955 TOTAL PARKING SPOTS



LADY LUCK NEMACOLIN
FARMINGTON, PENNSYLVANIA



TRAFFIC ASSESSMENT

GENERAL

McMillen Engineering performed a full traffic study for the proposed casino in December 2005 (this initial study was approved by PennDOT in March 2006), with amendments / updates performed in November 2006 and January 2010. The full study and amendments are available for review. The 2010 amendment was performed to reflect the effect of 100 additional slot machines and 28 table games. The additional slot machines and table games had only minor effects on the initial results; therefore, all of the recommendations from the original approved study remain the same. The following summarizes the findings of that report. Intersection analysis was performed for the main intersections along the Route 40 Corridor from SR 381 to Dinner Bell Road. The general influence area is based on a 30-mile radius from the site for the proposed casino which contains the five county areas of population outlined in Table 1.

The objective of the study is to analyze the impact of the proposed development on the existing Route 40 corridor. The study has been conducted in accordance with PennDOT Publication 282 and traffic impact study guidelines established by the Institute of Transportation Engineers (ITE).

BASE TRAFFIC ANALYSIS

Study Area and Site Location

The project scope includes the analysis of the SR 0040 corridor from SR 381 to SR 2011 (Dinner Bell Road). The site is for the proposed casino shown on the Site Location Map (Exhibit 1). The study area for the analysis is shown on Exhibit 4.

The study area includes the existing seven (7) major intersections of SR 0040 and the proposed driveways at the site for the proposed casino.

The existing intersections analyzed for this traffic impact study are as follows:

- Route 40/SR 381 S
- Route 40/SR 381 N
- Route 40/Hawes Road
- Route 40/Secondary Driveway
- Route 40/ Proposed Casino (main) Driveway and Marker Road
- Route 40/Smith School Road
- Route 40/SR 2011 (Dinner Bell Road)

TABLE 1 AREA POPULATION DATA	
City / County	2000 Census*
Uniontown	12,422
Fayette	148,644
Westmoreland	369,993
Washington	202,897
Greene	40,672
Somerset	80,023

*2000 census population (critical) used in traffic distribution calculations.

**CIVIL ENGINEER
LAND SURVEYOR**

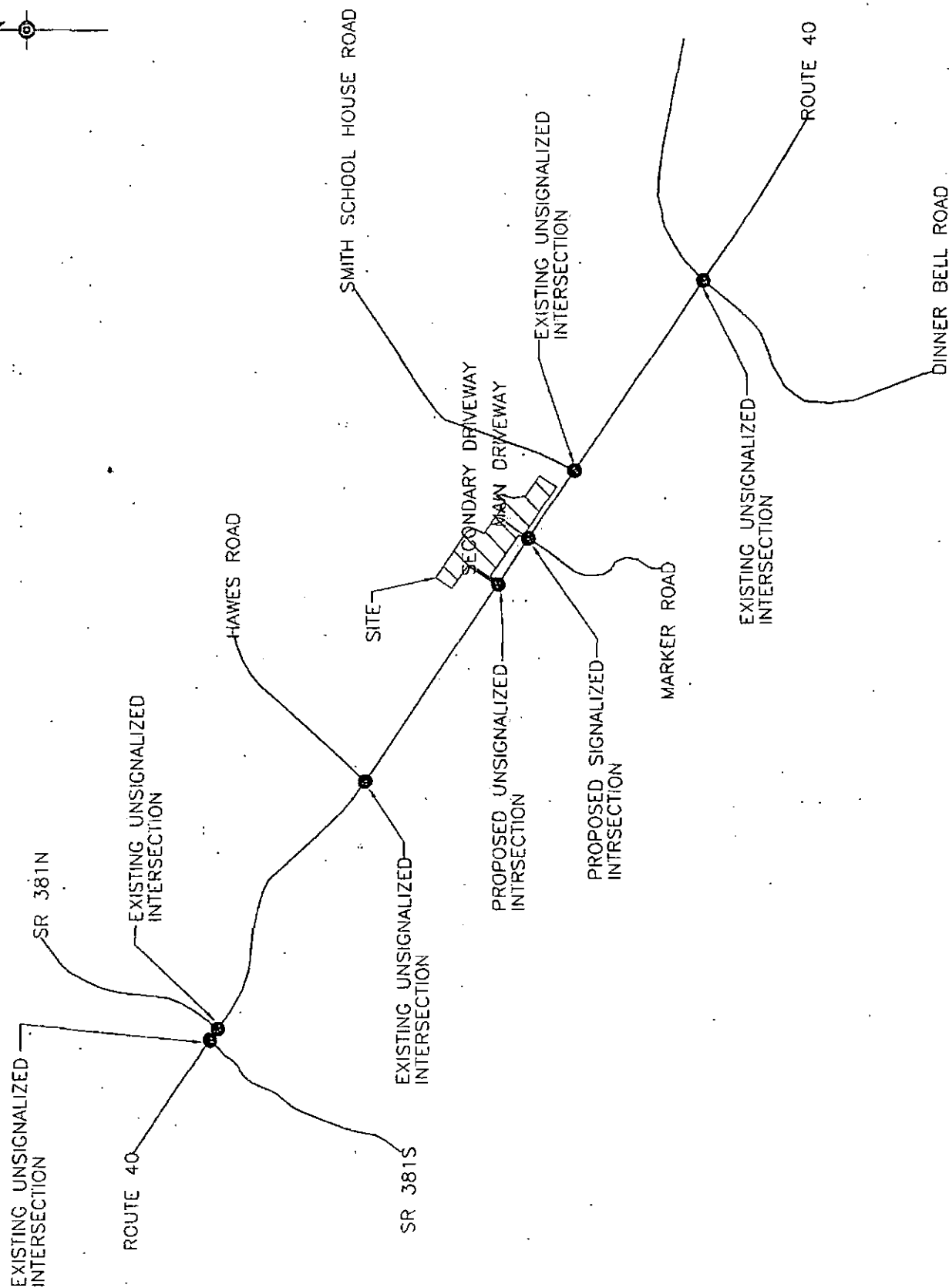
NO.	DESCRIPTION	DATE	BY

WOODLANDS FAYETTE, LLC
PREPARED FOR
LADY LUCK NEMACOLIN
NEMACOLIN WOODLANDS RESORT AND SPA
WHARTON TOWNSHIP, FAYETTE COUNTY
PENNSYLVANIA

TRANSPORTATION
PLAN[illegible]

11

EXHIBIT 4



<p align="center">TABLE 2 PROJECTED TRIP GENERATION NEMACOLIN WOODLANDS RESORT AND SPA PROPOSED CASINO Wharton Township, Fayette County, Pennsylvania</p>									
PROJECTED VEHICLE TRIP GENERATION									
Development Component	ITE Code (7)	Size	Weekday Peak PM Hour (5)			Saturday Peak AM Hour (6)			Total
			Enter	Exit	Total	Enter	Exit	Total	
Proposed Casino	473	600 Slots (1)	188	166	354	204	180	384	
	473	24 Blackjack Tables, 7 seats/table (2)	53	47	100	57	51	108	
	473	2 Craps Tables, 10 seats/table (2)	6	6	12	7	6	13	
	473	2 Roulette Tables, 10 seats/table (2)	6	6	12	7	6	13	
Proposed Casino Total									
			253	225	478	275	243	518	
Outdoor Store (8)									
	815	54,000 sq ft (3)	151	150	301	204	195	399	

(1) Trip generation rates based on data provided by PennDOT District 12-0

(2) Trip generation rates based on data provided by Isle of Capri Casinos, Inc. and PennDOT District 12-0.

(3) Trip generation rates based on Institute of Transportation Engineers, Trip Generation Manual 8th edition.

(4) Average weekday daily traffic volumes projected to be generated during a typical weekday (total trips entering and exiting).

(5) Trips shown for weekday pm peak hour of generation. The projected trips are applied to the peak hour of adjacent street traffic.

(6) Trips shown for Saturday peak hour of generation. The projected trips are applied to the peak hour of adjacent street traffic.

(7) ITE land use code from Institute of Transportation Engineers, Trip Generation Manual 8th edition.

(8) The full traffic study for the proposed casino performed in December 2005 compared the originally proposed casino to the then-existing Nemacolin Outdoor World Store. At the request of PennDOT, the amendments in November 2006 and January 2010 continue the same comparison.

Traffic Analysis

Southwestern Planning Commission (SPC) has projected traffic growth of 1% based upon projected growth of adjacent developments for the surrounding areas. Base trip data was compiled by McMillen Engineering on August 12-13, 2005. Manual counters were utilized to obtain movement counts along the SR 0040 corridor. Electronic counts were obtained for through traffic. Computer analysis was performed utilizing the HCS Release 5.2. The scenarios analyzed in the study are as follows:

1. 2006 Weekday Peak PM Hour Base Conditions
2. 2006 Saturday Peak Hour Base Conditions
3. 2006 Weekday Peak PM with Development Conditions
4. 2006 Saturday Peak Hour with Development Conditions
5. 2016 Weekday Peak PM Hour Base Conditions
6. 2016 Saturday Peak Hour Base Conditions
7. 2016 Weekday Peak PM Hour with Development Conditions
8. 2016 Saturday Peak Hour with Development Conditions

The analysis considers the Weekday PM Peak and the Saturday Peak hour traffic volumes, turning movement data collection, projections of the future development, intersection capacity analysis and left-turn warrant evaluation and safety considerations.

Exhibits 4, 5A and 5B outline the transportation plan and the distribution of the generated traffic. The intersections are:

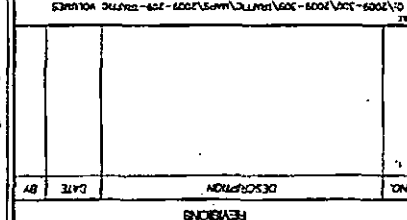
1. SR 0040 / SR 0381 S
2. SR 0040 / SR 0381 N
3. SR 0040 / Hawes Road
4. SR 0040 / Secondary Driveway
5. SR 0040 / Proposed Casino (main) Driveway and Marker Road
6. SR 0040 / Smith School Road
7. SR 0040 / SR 2011 (Dinner Bell Road)

EXISTING TRANSPORTATION SYSTEM

SR 0040 runs east and west with the majority of the traffic from the adjacent developments traveling the corridor. Local roads will have minimal trips and minimal effect from the proposed conversion of the existing facility into the casino.

Data was collected for turning movements in the study area during Friday and Saturday peak hours. The study considers the peak weekday PM from 4:45 to 5:45 and Saturday peak periods from 10:45 to 11:45 AM.

The need for a traffic signal at a particular intersection is based upon criteria in Chapter 201, Engineering and Traffic Studies, of the Pennsylvania Code, Title 67, under Traffic Signal Warrants. Signalization is based on factors such as traffic volumes, vehicular movements, capacity analysis, speed data, and accident analysis. One or more of the traffic signal warrants must be met to justify a traffic signal.



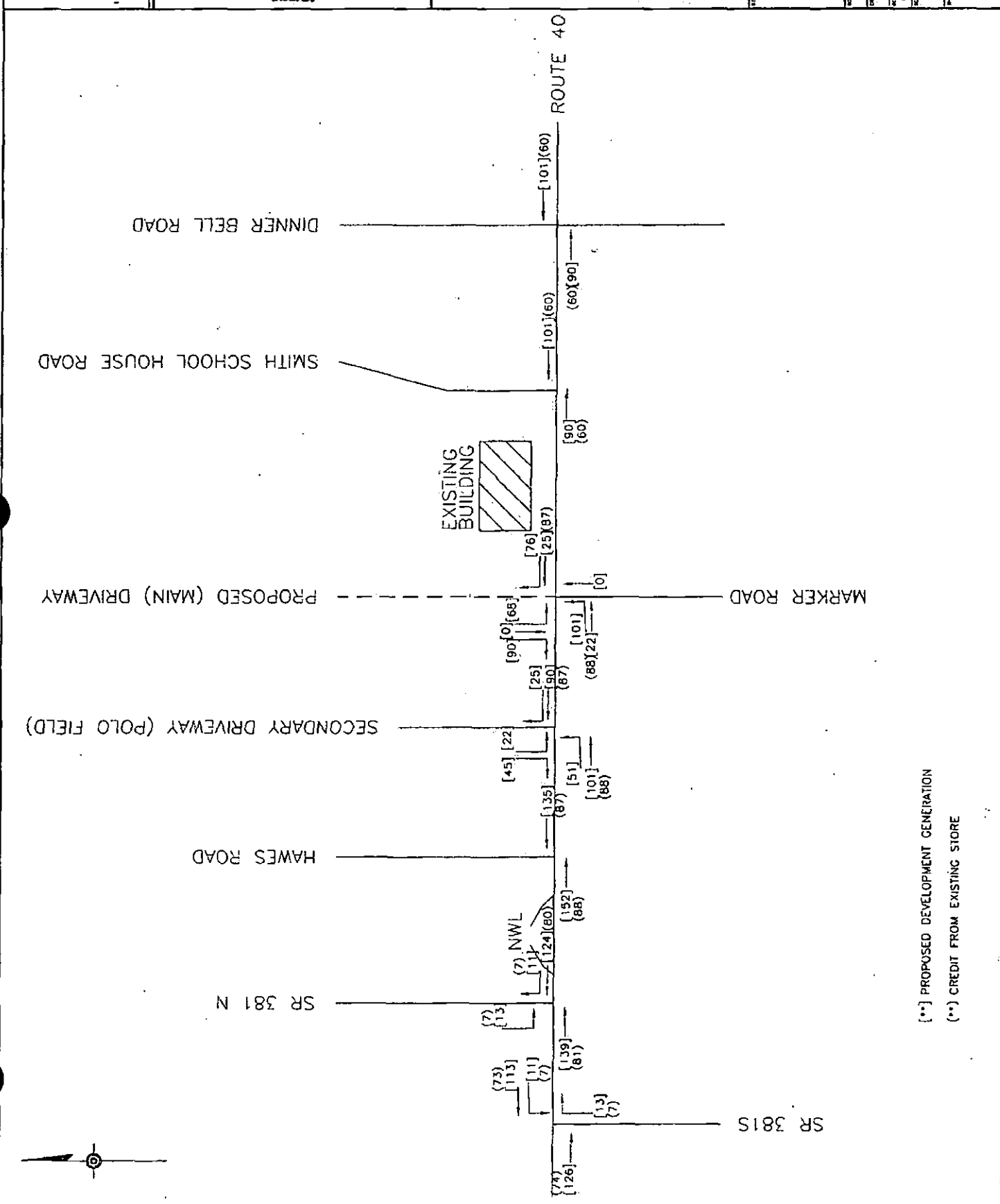
WOODLANDS FAYETTE, LLC
PREPARED FOR
LADY LUCK NEMACOLIN
NEMACOLIN WOODLANDS RESORT AND SPA
WHARTON TOWNSHIP, FAYETTE COUNTY
PENNSYLVANIA

WEEKDAY PM
DISTRIBUTION MAP

DATE REC.	**	DATE REC.	2009-309
RECEIVED	11/23/05	CALCULATED	IR 11/23/05
RECEIVED	11/23/05	APPROVED	" "

N.T.S.

EXHIBIT 5A



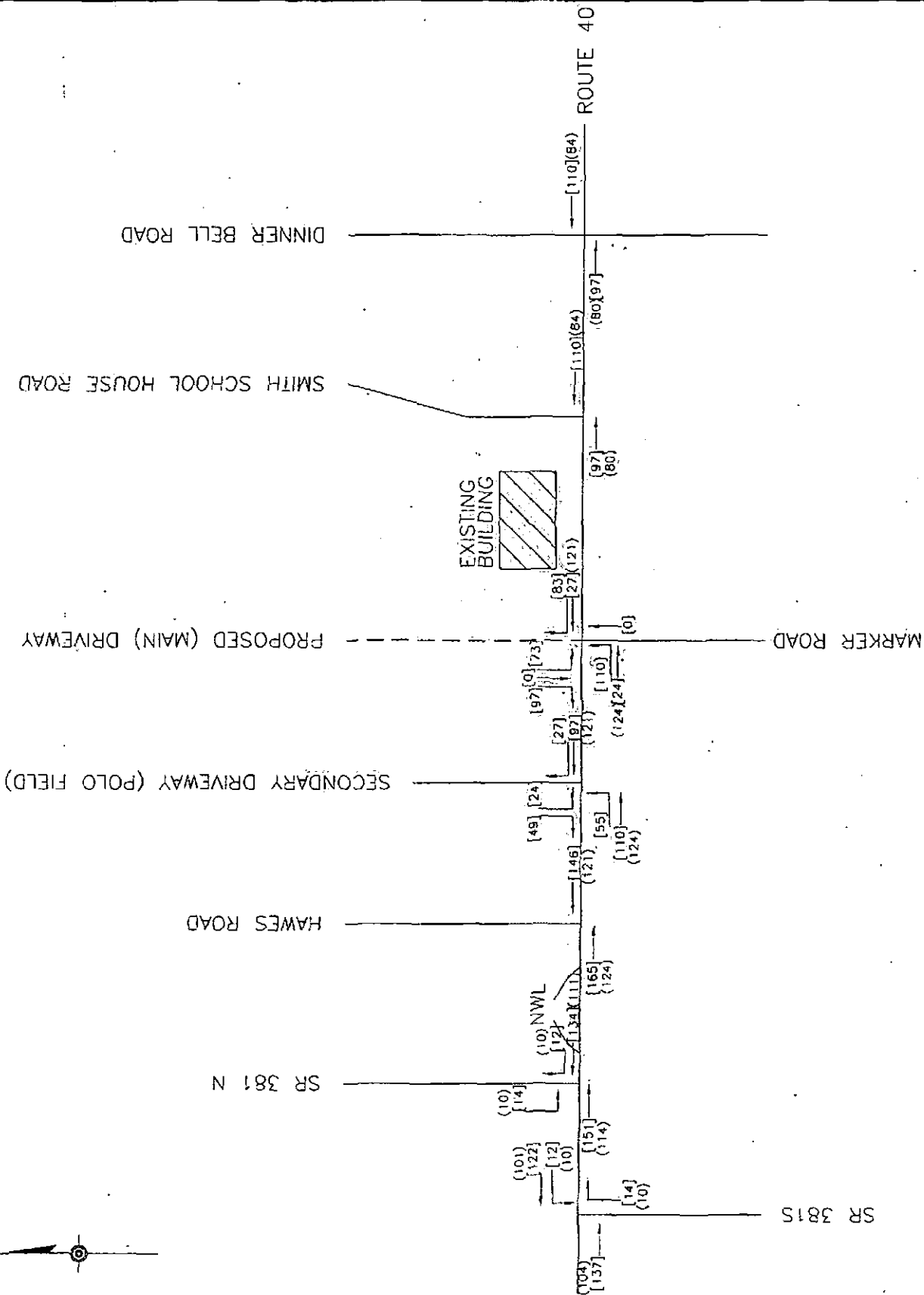
NO.	DATE	BY	DESCRIPTION

PREPARED FOR
LADY LUCK NEMACOLIN
WOODLANDS FAYETTE, LLC
 WHARTON TOWNSHIP, FAYETTE COUNTY
 PENNSYLVANIA
 NEMACOLIN WOODLANDS RESORT AND SPA

SATURDAY
DISTRIBUTION MAP

DATE	2009-309
PROJECT	11/23/05
DATE	11/23/05
DATE	11/23/05
DATE	11/23/05
DATE	11/23/05

N.T.S.
EXHIBIT 5B



[**] PROPOSED DEVELOPMENT GENERATION
 (**) CREDIT FROM EXISTING STORE

The Highway Capacity Manual defines capacity analysis as a set of procedures used to estimate the traffic-carrying ability of a facility over a range of defined operational conditions. The operational conditions are described in terms of a letter from "A" to "F" with "A" being the most desirable condition. A description of the various levels of service is outlined in the Highway Capacity Manual.

The level of service at signalized intersections measures the average stop delay time per vehicle and also the volume to capacity ratio as it relates to the specific intersection. The capacity ratio compares the peak hour traffic volumes to the theoretical maximum traffic volumes that the facility can accommodate.

The level of service for an un-signalized intersection measures the delay to turning traffic to find a gap in a major street traffic flow to allow for the successful completion of the desired turning movement. The critical movements at un-signalized intersections are left turns on the main streets and left turns on the side streets.

Capacity analyses were performed for the 2006 and 2016 weekday PM and Saturday Peak periods at the study intersections. The January 2010 amendment was completed to analyze the proposed signalized intersection (main casino driveway) using the updated data for the 2010 and 2020 weekday PM and Saturday peak periods.

Peak hour factors were calculated for the weekday PM and Saturday peak hours of traffic volume. The peak hours are based upon the peak fifteen minute volumes observed for each of the peak hour periods.

DESIGN CONDITIONS

Design Year and Assumptions

The future year of 2020 was selected as the design year based upon the PADOT policy of designing improvements for ten years beyond the proposed development. Additional assumptions include the traffic growth rate, current Transportation Improvement Program (TIP) items, and traffic volumes generated by other developments in the study area or close vicinity.

The traffic growth rate was obtained from the Southwestern Pennsylvania Regional Planning Commission (SPC).

The total daily traffic flow volume will increase as a result of the new proposed casino, but as the traffic impact study confirms, there will be no adverse impact to the level of service of the intersections along the Route 40 corridor from the proposed development.

The need for left turn lanes at each of the study intersections were evaluated based on the criteria provided in the Intersection Channelization Guide, NCHRP Report 279, published by the Transportation Research Board. The proposed site driveway meets the requirements of a left turn lane.

The recommended roadway improvements were developed based on projected full development.

PROPOSED FACILITIES

McMillen Engineering recommends that a medium volume signalized driveway with left turn lanes for both Route 40 approaches be installed at the SR 0040 / proposed casino main driveway.

Adequate signage will be installed along Route 40 and within Nemacolin Woodlands Resort to clearly direct traffic flow.

IMPACT ON LOCAL COMMUNITY

Installation of the proposed facilities will create safer transportation along Route 40 by establishing protected left turning lanes and allowing through traffic to continue without backup. Thus the project, in terms of the traffic flow, will have a positive impact upon the local community.

TRANSIT ACCESS ASSESSMENT

PUBLIC

The Fayette Area Coordinated Transportation (FACT) system currently makes regular seven days a week stops at Nemacolin Woodlands Resort primarily for employee use. The current schedule is.

Weekday/Saturday		Sunday	
6:48 a.m.	7:05 a.m.	6:48 a.m.	7:05 a.m.
7:48 a.m.	8:05 a.m.	7:48 a.m.	8:05 a.m.
8:53 a.m.	9:05 a.m.	8:48 a.m.	9:05 a.m.
9:57 a.m.	10:10 a.m.	3:53 p.m.	4:05 p.m.
11:57 a.m.	12:10 p.m.	4:53 p.m.	5:05 p.m.
1:27 p.m.	1:40 p.m.		
2:57 p.m.	3:10 p.m.		
4:22 p.m.	4:25 p.m.		
5:12 p.m.	5:15 p.m.		
9:25 p.m.	9:30 p.m.		

It is anticipated that usage will increase slightly when additional employees are added for the proposed casino. Based upon discussions with the FACT Director (Ms. Lori Groover-Smith), an additional stop will be added specifically for the employees of the proposed casino. Considerable capacity exists in the FACT System. If ridership dictates, additional bus arrival and departure times can be accommodated, as per the FACT Director.

PRIVATE

Adequate separate facilities for drop off and pick up of patrons are provided at the proposed casino. Separate parking for buses is also provided. It is not anticipated that there will be significant private bus trips to the proposed casino.

IMPACT ON LOCAL COMMUNITY

There will be **no adverse impact** to the local community because all public and private bus parking facilities will be onsite. The volume of bus traffic and the effect on the roadway system is discussed in the Traffic Assessment portion of this report.

PARKING ASSESSMENT

CURRENT FACILITIES

The current parking facilities will be expanded by the proposed casino project.

REQUIRED PARKING

The basis of design for the number of required parking spaces is outlined in Article VII of the Zoning Ordinance of Wharton Township, Fayette County, Pennsylvania.

A casino is not listed under the "Type of Use" in the ordinance. However, the following uses and required parking are listed.

Offices	1 per 300 square feet
Retail space	1 per 300 square feet
Service areas	1 per 300 square feet
Restaurants	1 per 2.5 seats
Theaters	1 per 3.5 seats
It is assumed that 1/3 parking space is required per slot machine.	
It is assumed that 1 parking space is required per seat at the table game.	

PROPOSED FACILITIES

Parking facilities to be provided assumes 186 employees will park at the employee parking area to allow for the overlap in shift parking.

The minimum number of spaces is established as follows:

Slot machines	600 ea x 1/3	=	200
Table game (Blackjack)	24 tables x 7 per table	=	168
Table game (Craps)	2 tables x 10 per table	=	20
Table games (Roulette)	2 tables x 10 per table	=	20
Office space	1,965 sq ft x 1/300	=	7
Retail space	722 sq ft x 1/300	=	3
Service space	18,860 sq ft x 1/300	=	63
Restaurants	75 seats x 1/2.5	=	30
Lounge	95 seats x 1/3.5	=	27
Employees	186 (shift of employees)	=	186
Total spaces required			724

The proposed number of parking spaces is 955. The proposed number of spaces exceeds the required number of spaces by 231 parking spaces.

IMPACT ON LOCAL COMMUNITY

Because all parking is on-site and because the parking proposed is greater than the parking required, there will be **no adverse affect** on the community due to parking.

ENVIRONMENTAL IMPACT ASSESSMENT

CULTURAL RESOURCES

In March 2006, the Pennsylvania Historical and Museum Commission (PHMC) reviewed their cultural and historical resource survey files and indicated that their records indicate that there are no National Historical Register eligible or listed historic or archeological properties in the area of the proposed project.

PHMC applications need to be updated annually when applying for a sewage permit, NPDES permit, and other environmental permits. Based on the final design of the proposed casino, it will be determined if a new application will need to be submitted for review and approval.

Given the site was previously cleared for construction in 2006, if a new application is necessary, it should be viewed favorably.

ENVIRONMENTAL PERMITTING

The Fayette County Conservation District approved a General NPDES (National Pollution Discharge for Erosion & Sedimentation) Permit, PA-S10L025 in December 2008 for the proposed casino. This permit coverage expires on December 11, 2013.

Another environmental permit, a Joint Permit, would be necessary if the design of the proposed casino does not avoid environmental impacts to streams and wetlands. The intent of final design for the proposed casino is to avoid environmental impacts to streams and wetlands; therefore, a Joint Permit (Chapter 105/ Section 404 Federal Permit) is **not required** for the project.

HOUSING ASSESSMENT

CURRENT CONDITIONS

Nemacolin Woodlands Resort recognized years ago that there was not adequate housing in the local community for its expanding work force. As such, additional employee housing was constructed and has been expanded as the number of employees and the resulting need has increased.

HOUSING ASSESSMENT

It is anticipated that private contractors will engage in the construction of additional housing (single family, duplex, and multi-family) in the local community as well as surrounding communities to meet additional housing needs created by the proposed casino development.

IMPACT ON LOCAL COMMUNITY

The creation of additional employee housing by Nemacolin Woodlands Resort, enhanced by the construction of housing by private developers, will ensure that adequate housing stock continues to exist in the local community. The proposed casino will therefore have **no adverse impact** on the local housing supply.

WATER SUPPLY ASSESSMENT

CURRENT FACILITIES

The proposed site has two water sources. The primary source is the National Pike Water Authority and the secondary source is the private Nemacolin Woodlands Resort well system.

The current water distribution system serving the Wildside venue will remain and be used for the proposed casino. The current system includes the following.

2-50,000 gallon Water Storage Tanks with Auto Level Refill Valve. 100,000 gallon total storage capacity

Pak triple pump, booster pump system

(2) Grundfos CR 32-3-Z 10HP 480V, VFD, 100 gpm @ 174' TDH each

(1) Patterson 8x6 MABS horizontal split case 1,700 gpm @ 246 TDH 150 HP 480V

(1) Wessels 132 gallon Hydropneumatic Tank

Total Station Capacity 2,000 gpm

12" Suction line from Water Storage Tanks 8"

Discharge line to building

Backup generator to provide emergency power during power outage.

System Control based on pressure switch located at building.

Alarm Horn and light for pump/ power failure, low suction pressure and high temperature

The daily usage is provided by the National Pike Water system. Peak rates of flow are provided by Nemacolin Woodlands Resort's water storage tanks.

PROPOSED USAGE

The anticipated water usage is estimated as follows:

Employees	266 total (three shifts) @ 10	
(mix use office & retail)	gal/each	= 2,660
Patrons (peak day)	2,682 @ 15 gal/patron	= 40,230
Total daily water use		42,890

Considering a twenty-four hour operating period and a peak flow factor of four, the peak water usage rate is 119 gallons per minute. The proposed usage for the proposed casino is considerably less than the capacity provided of 2,000 gallons per minute.

IMPACT OF LOCAL COMMUNITY

The National Pike Water Authority has adequate excess capacity to provide the required volume of water; therefore there will be **no adverse impact** on the local community due to water usage.

SEWAGE COLLECTION AND TREATMENT ASSESSMENT

CURRENT FACILITIES

The current systems serving the Wildside venue will remain and be used for the proposed casino. The current systems include the following.

Collection and Transfer

Suction lift package pump station manufactured by Gorman-Rupp Engineered Systems consisting of:

Triplex Pumping Station with liquid level controls (3) T3A35-B 15HP, 460V 135 gpm @ 81.5' TDH each. 2 pumps operate at any one time

Programmable Logic Controller (PLC) controls station operation for series / parallel operation.

Provisions to isolate any one pump from system without preventing remaining pumps from operating.

Total Station Capacity 135 gpm @ 163' TDH

Discharge is to Nemaquin Woodlands Resort's Sewage Treatment Plant via 4" forcemain. Backup power is provided by the Nemaquin emergency generator. Alarm horn and light for pump/power failure, with high level (wetwell) indicator is provided.

Based upon the estimated daily flow rate of 42,890 GPD, utilizing a peak flow rate of four, and assuming a twenty-four hour runoff, the peak flow rate will be 119 GPM. This peak flow rate is less than the available capacity of the existing pump station; therefore, the existing pump station is adequate to service the proposed casino.

SEWAGE TREATMENT SYSTEM

Nemaquin Woodlands Resort's Sewage Treatment Plant is Sequential Batch Reactor (SBR), flow equalization facility. It was upgraded for additional capacity from 140,000 gallons per day ("GPD") to 500,000 GPD (hydraulically) in 2005. The current plant was constructed and permitted in 1998. The facility operates under Nemaquin Woodlands Resort's Sewage Treatment Plant NPDES Permit No. PA0098761 which was last renewed in January 2008 and will expire if not renewed by January 21, 2013.

McMillen Engineering has completed an analysis of the existing plant discharge data relative to the current operating capacity. The purpose of this analysis is to review and analyze the hydraulic and organic loadings of the facilities. Based upon our investigations, McMillen Engineering does not feel that an expansion is warranted. The sewage treatment plant has operated at a maximum average daily flow of approximately 150,000 GPD; which is approximately thirty percent of available capacity. Nemaquin Woodlands Resort's maintenance staff has been diligent in recent years to remove extraneous flow and particularly stormwater flow. Therefore, the available capacity has increased in recent years.

It is the opinion of McMillen Engineering that the treatment facilities are generally in compliance with all rules and regulations for hydraulic and organic loadings as set forth in the provisions of the Pennsylvania Department of Environmental Protection's NPDES Permit. The conversion of the existing Wildside venue to the proposed casino does not warrant expansion of the plant.

Operating and testing needs are determined from the past nineteen months of actual data and are summarized as follows:

Hydraulic Loading	
Design & Permit Capacity	500,000 GPD
Average Annual Daily Flow	119,000 GPD
Maximum Average Daily Flow	150,000 GPD
Maximum Flow of DMRs	267,000 GPD

The estimated, maximum average daily hydraulic loading of the facility with the proposed casino loading is 204,100 GPD. This leaves greater than 59 percent hydraulic capacity at the sewage treatment facility. The anticipated, estimated daily average sewage flow at the sewage treatment facility is 173,100 GPD, 65 percent of the hydraulic capacity available at the plant.

PROPOSED USAGE

The anticipated hydraulic loading of the proposed casino is estimated conservatively as follows:

Nemacolin employees (mix-use; office and retail staff, etc.)
266 employees (in three shifts) @ 10 GPD/employee = 2,660 GPD

2,682 patrons per day (peak) utilizing a per person flow value of 20 GPD/person assuming that each patron is going to be using restaurant and bar facilities as well as possibly retail:

2,682 x 15 GPD/patron = 40,230 GPD

Total Estimated Sewage Flows for the proposed casino = 42,890 GPD

The flow at the Wildside venue was originally 9,700 GPD, thus the increase would be 33,190 GPD from that already being treated at the plant. The existing treatment facility has adequate capacity to treat the additional flow.

IMPACT ON LOCAL COMMUNITY

The sewage collection, transfer and treatment systems are private and not used by the community; therefore the increase in usage **will not adversely affect the local community**. The existing facilities are adequate to service the proposed casino.

ELECTRIC POWER SUPPLY ASSESSMENT

CURRENT CAPACITY

The current electrical supply at the Wildside venue is provided by utility lines running alongside Route 40 and is separate from Nemacolin Woodlands Resort's internal electric system, which distributes power throughout the resort.

The internal electric system is serviced by Allegheny Power. Allegheny Power has upgraded Nemacolin Woodlands Resort's internal electric system from 10 MVA to 20 MVA to, among other things, meet increased power demand resulting from establishment of the proposed casino. The proposed casino will be connected to the Nemacolin Woodlands Resort's internal electric system.

REQUIRED CAPACITY

Load Description	Connected Load	Demand Load
Casino lighting, power, gaming	442 KVA	354 KVA
Restaurants, kitchen, bars	267 KVA	174 KVA
B.O.H., restrooms, offices, etc.	458 KVA	320 KVA
HVAC/mechanical loads	756 KVA	491 KVA
Plumbing loads	30 KVA	25 KVA
Outside lighting	20 KVA	20 KVA
<i>Total</i>	<i>1,973 KVA</i>	<i>1,383 KVA</i>

The current 750 KVA transformer will be increased to 1,500 KVA transformer to supply the slot machines and additional equipment.

IMPACT ON LOCAL COMMUNITY

The proposed casino will be served from a new extension of Nemacolin Woodlands Resort's internal electrical system and not the local community system. Therefore, there will be no adverse impact on the local community.

GAS SUPPLY ASSESSMENT

CURRENT CAPACITY

Nemacolin Woodlands Resort's gas distribution system is connected directly to the high pressure Texas Eastern gasline, which has a capacity that greatly exceeds the current or future needs at Nemacolin Woodlands Resort. The high pressure supply is then reduced to medium pressure for distribution throughout Nemacolin Woodlands Resort. The pressure is then further reduced at each point of usage.

PROPOSED USAGE

The proposed usage at the proposed casino is estimated as follows:

Heating	4,200 MBH
Hot Water	1,700 MBH
Kitchens	3,500 MBH

The existing onsite utilities can support these additional loads.

IMPACT ON LOCAL COMMUNITY

Because Nemacolin Woodlands Resort's gas system does not connect to the local gas system, there will be **no adverse impact** on the local community due to increased gas usage.

LOCAL POLICE AND EMERGENCY SERVICES CAPABILITIES ASSESSMENT

LOCAL POLICE DEPARTMENT

Local police services for Wharton Township are provided by the Pennsylvania State Police ("PSP"). In addition, Nemaacolin Woodlands Resort has an internal security department located within the resort that provides service to the resort only.

Nemaacolin Woodlands Resort's internal security department operates 24 hours a day 7 days a week with an average of 100 emergency calls a year. Some of these calls are turned over to the Pennsylvania State Police depending on the nature of the call.

Call volume for police services will likely increase as a result of the development of the proposed casino and increased patronage at the resort. Nemaacolin Woodlands Resort's internal security department will adjust its operation accordingly to provide adequate service for any increase in calls occurring at the resort. In addition, inasmuch as PSP will have additional personnel assigned directly to the casino facility that is over and above the current complement stationed at the local PSP barracks, it is assumed that PSP will be able to meet any increased demand for services.

AMBULANCE SERVICE

The local ambulance service is provided by Fayette EMS, which is located at the Farmington Fire Department at 119 Elliottsville Road in Farmington. Fayette EMS provides advanced life support service 24 hours a day 7 days a week and runs an average of 800 calls a year in the Wharton Township area. The current operation of the ambulance service provides an adequate level of service to the surrounding community. With the proposed addition of a casino at the Nemaacolin Woodlands Resort, the call volume for this service will likely increase.

Fayette EMS Director Rick Adobato has advised that Fayette EMA has **adequate capacity** to meet any increased demand for services resulting from the development of the proposed casino. The proposed casino will have **no adverse impact** to the community.

FIRE DEPARTMENT

The local fire service for the surrounding community of Nemaacolin Woodlands Resort is provided by Farmington Volunteer Fire Department, which is located at 119 Elliottsville Road in Farmington. This service is operated by volunteer firefighters who are on call 24 hours a day 7 days a week, who run an average of 190 calls a year in the Farmington area.

The current operation of the fire service provides an adequate level of service to the surrounding community. With the proposed addition of a casino at Nemaacolin Woodlands Resort, the call volume for this service will likely increase.

The Farmington Volunteer Fire Department has discussed amongst its members the proposed casino and determined they have adequate personnel and equipment to handle additional use created by the casino with **no adverse impact** to the community.

IMPACT ON LOCAL COMMUNITY

The development of a casino at Nemaacolin Woodlands Resort will have little or no impact on how Nemaacolin Woodlands Resort's internal Security Department, the Pennsylvania State Police, and emergency services provide for the surrounding community. Even with an increase

in the need for emergency services, these organizations will be able to adjust accordingly to provide an adequate level of service to the local community.

LOCAL EMERGENCY SERVICE CONTACTS:

Fayette County 911	Guy Napolillo	work 724-430-1277
EMA Coordinator	Jim Means	work 724-329-8503
Fire Chief	Brian Vansickle	work 724-329-5513
Ambulance	Rich Adobato	work 724-437-3748

CONCLUSION

Nemacolin Woodlands Resort is essentially self-supportive and relies very little on the local community in terms of supplying utilities and services. All utilities to serve the proposed casino will be connected to the private Nemacolin Woodlands Resort utility system, all of which have or will have adequate excess capacity available.

It is proposed that a signalized intersection with turning lanes on Route 40 be constructed at the main entrance to provide safe ingress and egress. Appropriate signage is also proposed.

Provided the project is constructed as outlined herein, it is the opinion of McMillen Engineering, Inc. that the proposed casino will **not have a negative impact** on the utilities or services of the local community.

Respectfully submitted,

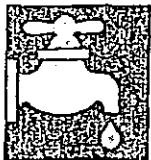
McMILLEN ENGINEERING INC.



Terry E. McMillen, Sr., P.E., PLS President

**SUPPLEMENTS
LOCAL IMPACT REPORT
LADY LUCK NEMACOLIN CASINO**

1. Letter from National Pike Water Authority stating water allocation
2. Letter from Wharton Township Planning Commission
3. Letter from Wharton Township Supervisors granting approval
4. Copy of the Resolution for Plan Revision for New Land Development
5. Letter from PADEP approving the Sewage Planning Modules
6. PHMC Letter
7. PADEP approved NPDES Permit PAS10L025-R



National Pike Water Authority

P.O. Box 10, Markleysburg, Pa 15459

Feb. 14, 2006

McMillen Engineering Co.
Attn: Chad Stafford
115 Wayland Smith Drive,
Uniontown, PA 15401

In Re: Nemacolin Woodlands Casino – Water Allocation

Dear Mr. Stafford,

In regard to your request for additional water supply in the amount of 39,900 gallons per day for the aforementioned NWL Casino.

Please be advised the NPWA is currently running well below the average capacity of our available water supply. Therefore we could supply the additional capacity required by the Casino. The NWL resort current maximum allocation is 175,000 gallon per day, we therefore will increase the allowable maximum to be 214,900 gallon per day.

Very truly yours,

NATIONAL PIKE WATER AUTHORITY

A handwritten signature in dark ink, appearing to read "Richard E. Dennis". The signature is fluid and cursive, with the first name "Richard" being more prominent.

Richard E. Dennis, Chairman

Wharton Township Planning Commission

P.O. Box 1
Farmington, PA 15437

March 9, 2006

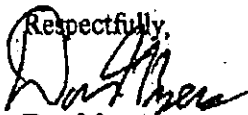
Wharton Township Supervisors
P.O. Box 31
Elliotsville Rd.
Farmington, PA 15437

Dear Supervisors,

The Planning Commission of Wharton Township at its regular meeting on March 8, 2006, approved the following items and recommends to the Township Supervisors:

- 1) Revised Flemming Plan of Lots - Previous plans has already been recorded.
- 2) Sewage Module for Nemacolin Woodlands Outdoor Store Renovation -- contingent approval on sewage module, subject to DEP approval
- 3) Nemacolin Woodlands Outdoor Renovation Land Development Plan -- Submit grading plan for record to assure pond elevation compares to McMillen's report. Recommendation to the supervisors to waive sheet and scale size. Provide calculation to show post development out flow of pond does not exceed pre-development out flow.

Respectfully,



Don Myers
Assistant Secretary, Planning Commission

Wharton Township Supervisors

Post Office Box 1

Farmington, Pennsylvania 15437

Phone: 724-329-8503 Fax: 724-329-4230

March 21, 2006

McMillen Engineering
115 Wayland Smith Drive
Uniontown, PA 15401

RE: Nemacolin Woodlands Casino

Dear Sirs:

At the meeting of the Wharton Township Supervisors held on March 20, 2006 a resolution was passed approving a sewage facilities planning module for the Nemacolin Woodlands Casino. It will then be forwarded for the Department of Environmental Resources for approval.

At the same meeting, the land development plan for the renovation of the Nemacolin Outdoor Store, which will be the casino, was approved contingent upon approval of the sewage module by DEP. If you have any questions, call me at 724-329-8503.

Sincerely,



Laura Savage
Secretary-Treasurer



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATER SUPPLY AND WASTEWATER MANAGEMENT

DEP Code No.

RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT

RESOLUTION OF THE (SUPERVISORS) (~~COMMISSIONERS~~) (~~COUNCILMEN~~) of Wharton
(TOWNSHIP) (~~BOROUGH~~) (~~CITY~~), Fayette COUNTY, PENNSYLVANIA (hereinafter "the municipality").

WHEREAS Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the "Pennsylvania Sewage Facilities Act", as Amended, and the rules and Regulations of the Pennsylvania Department of Environmental Protection (Department) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management, and

WHEREAS NWL Company has proposed the development of a parcel of land identified as
land developer

Nemacolin Woodlands Casino and described in the attached Sewage Facilities Planning Module, and
name of subdivision

proposes that such subdivision be served by: (check all that apply), ☒ sewer tap-ins, ☐ sewer extension, ☐ new treatment facility, ☐ individual onlot systems, ☐ community onlot systems, ☐ spray irrigation, ☐ retaining tanks, ☐ other, (please specify).

WHEREAS, Wharton Township finds that the subdivision described in the attached
municipality

Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the (Supervisors) (~~Commissioners~~) (~~Councilmen~~) of the (Township) (~~Borough~~) (~~City~~) of Wharton hereby adopt and submit to the Department of Environmental Protection for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto.

Lana Savage, Secretary, Wharton
(Signature)

Township Board of Supervisors (~~Borough Council~~) (~~City Councilmen~~), hereby certify that the foregoing is a true copy of the Township (~~Borough~~) (~~City~~) Resolution # 7-06, adopted, March 20, 2006

Municipal Address:

Wharton Township

PO Box 1

Farmington, PA 15437

Telephone 724-329-8593

Seal of

Governing Body



Pennsylvania Department of Environmental Protection

100 New Salem Road, Suite 175
Uniontown, Pa. 15401

April 10, 2006

Uniontown District Office

724-439-7334

FAX 724-439-7352

Laura Savage, Secretary
Wharton Township
P.O. Box 1
Farmington, Pa. 15437

Re: Planning Modules for New Land Development
Nemacolin Woodlands Casino Development
Wharton Township
Fayette County
DEP Code No: 26942-06-209

Dear Ms. Savage:

The Department of Environmental Protection (Department) has reviewed the above referenced proposed Official Plan revision for the Nemacolin Woodlands Casino Development.

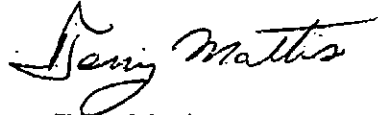
The plan revision is approved with the following conditions:

1. As a result of enactment of Act 40, collector sewers which will not serve more than 250- single family dwelling units or their equivalent sewage flow do not need a permit for construction and operation under the Pennsylvania Clean Streams Law. This planning approval, as it applies to these facilities, is given on the condition that collector sewers qualifying for the permit exemption must be designed, constructed and operated in accordance with the technical standards and practices contained in the Department's Sewerage Manual. All portions of new or modified sewage facilities included in the planning approval which do not qualify for the permit exemption, such as trunk lines, pump stations, force mains, and treatment plants, must obtain a Clean Streams Law Permit from the Department prior to construction or modifications. The permit exemption created by Act 40 applies only to permits under The Clean Streams Law. Other Department permits may be required for construction of collector sewers if encroachments to streams or wetlands will result.
2. Other Department permits may be required for construction if encroachment to streams or wetlands will result. Information regarding the requirements for such permits or approvals can be obtained from the Department's Watershed Management Program, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, Pa. 15222 or by calling 412-442-4315.



If you have any questions concerning this matter, please call me at 724-439-7334.

Sincerely,

A handwritten signature in cursive script that reads "Terry Mattis".

Terry Mattis
Sewage Planning Specialist

cc: Peter J. Magerko, NWL Company
Terry McMillen, P.E., McMillen Engineers

TM:tz



Commonwealth of Pennsylvania
Pennsylvania Historical and Museum Commission
Bureau for Historic Preservation
Commonwealth Keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120-0093
www.phmc.state.pa.us

March 22, 2006

Terry E. McMillen, Sr., PE, PLS
McMillen Engineering Inc.
115 Wayland Smith Drive
Uniontown, PA 15401

Re: File No. ER 92-3482-051-K
PGB Act 537 Planning Module
Approval, General NPDES Permit:
Nemacolin Woodlands Casino
Development, Wharton Twp.
Fayette Co.

Dear Mr. McMillen:

The Bureau for Historic Preservation (the State Historic Preservation Office) has reviewed the above named project in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended in 1980 and 1992, and the regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation. These requirements include consideration of the project's potential effect upon both historic and archaeological resources.

Based on our survey files, which include both archaeological sites and standing structures, there are no National Register eligible or listed historic or archaeological properties in the area of this proposed project. Therefore, your responsibility for consultation with the State Historic Preservation Office for this project is complete. Should you become aware, from any source, that historic or archaeological properties are located at or near the project site, please notify the Bureau for Historic Preservation at (717) 783-8946.

Sincerely,

Douglas C. McLearen, Chief
Division of Archaeology &
Protection

Cc: DEP, Southwest Regional Office

DCM/tmw



Pennsylvania Department of Environmental Protection

400 Waterfront Drive
Pittsburgh, PA 15222-4745

12/11/08

Southwest Regional Office

412-442-4000
Fax 412-442-4303

Mr. Pete Magerko
Nemacolin Woodlands Company
1001 LaFayette Drive
Farmington, PA 15437

Re: NPDES Permit PAS10L025-R
Nemacolin Woodlands Casino/Store
Wharton Township
Fayette County

Dear Mr. Magerko:

Enclosed is the above referenced permit which authorizes the discharge of storm water from the construction activity described in your final erosion and sedimentation control plan. Please ensure that the erosion and sedimentation control plan is fully implemented and available at the construction site.

Please read carefully Parts A, B and C of the permit which detail the terms and conditions of this authorization. County Conservation District staff and/or representatives of the Department may inspect this earthmoving activity to determine compliance with applicable permit requirements, Chapter 92, 101 and 102 Rules and Regulations and the Clean Streams Law.

Permit requirements and federal regulations at 40 C.F.R. §122.21(b) require "when a facility or activity is owned by one person but is operated by another person, it is the operator's duty to obtain a permit". Please be advised that once a contractor has been selected for the project, the permit must either be transferred to the contractor or the contractor must be made a co-permittee. Additionally if the contractor is changed, then the permit must be transferred to the new contractor. The enclosed Transferee/Co-permittee Application form must be used to either add a co-permittee or change the contractor.

Enclosed is a Notice of Termination (NOT) form to complete and file when construction activities have ceased and final stabilization has been achieved.

This authorization does not relieve the applicant from applying for and obtaining any and all additional permits or approvals from local, state or federal agencies for the construction activity described in the Notice of Intent or permit application.



Mr. Pete Magerko

- 2 -

If you have any questions regarding this authorization please contact the Soils & Waterways Section at 412-442-4315.

Sincerely,



Chris Kriley, P.E., Chief
Permitting & Technical Services Section
Watershed Management

Enclosure

cc: Fayette County Conservation District
Wharton Township
Terry E. McMillen, Sr. - McMillen Engineering



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATERSHED MANAGEMENT

APPROVAL OF COVERAGE UNDER
THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) INDIVIDUAL
PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES

NPDES PERMIT NO: PAS10L025-R

PRIMARY FACILITY ID: 573974

AUTHORIZATION NO: 638761

SUBFACILITY ID: 576554

SITE/PROJECT NAME & ADDRESS		PERMITTEE NAME & ADDRESS	
NAME:	Nemacolin Woodlands Casino/Outdoor Store	NAME:	Nemacolin Woodlands Company
SITE ID:	258429	CLIENT ID:	221530
ADDRESS:	S. R. 0040 and Marker Road Intersection	ADDRESS:	1001 LaFayette Drive
CITY, STATE, ZIP	Farmington, PA 15437	CITY, STATE, ZIP	Farmington, PA 15437
PHONE:		PHONE:	724-329-8555

In compliance with the provisions of the Clean Water Act, 33 U.S.C. Section 1251 *et seq.* ("the Act") and Pennsylvania's Clean Streams Law, as amended, 35 P.S. Section 691.1 *et seq.*, the Department of Environmental Protection hereby approves the discharge of stormwater to the following surface water(s) Deadmans Run (116-047)

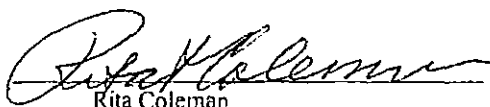
from a: ☐ 1 acre to less than 5 acre project with a point source (or) ☒ 5 acre or larger project associated with the construction of a parking lot and building addition subject to all effluent limitations, monitoring and reporting requirements and other terms, conditions, criteria and special requirements for the discharge of stormwater from sources composed entirely of stormwater associated, in whole or in part, with construction activity, as defined in this permit, to surface waters of the Commonwealth, including municipal separate storm sewers and non-municipal separate storm sewer.

APPROVAL TO DISCHARGE IN ACCORDANCE WITH THE TERMS AND CONDITIONS HEREIN MAY COMMENCE ON THE DATE OF THE APPROVAL OF COVERAGE, AND IS VALID FOR A PERIOD OF FIVE YEARS WHEN CONDUCTED PURSUANT TO SUCH TERMS AND CONDITIONS. COVERAGE MAY BE EXTENDED BY THE DEPARTMENT IF A TIMELY ADMINISTRATIVELY COMPLETE AND ACCEPTABLE PERMIT RENEWAL IS SUBMITTED TO THE DEPARTMENT AT LEAST 180 DAYS PRIOR TO DATE OF COVERAGE TERMINATION, UNLESS PERMISSION FOR SUBMISSION AT A LATER DATE HAS BEEN GRANTED BY THE DEPARTMENT. THE PERMIT MAY BE TERMINATED PRIOR TO THE EXPIRATION DATE UPON NOTICE TO AND APPROVAL BY THE DEPARTMENT. NO CONDITION OF THIS PERMIT SHALL RELEASE THE PERMITTEE OR CO-PERMITTEE FROM ANY RESPONSIBILITY OR REQUIREMENT UNDER PENNSYLVANIA, OR FEDERAL ENVIRONMENTAL STATUTES AND REGULATIONS, OR LOCAL ORDINANCES.

COVERAGE APPROVAL DATE: 12/11/08

COVERAGE EXPIRATION DATE: 12/11/13

AUTHORIZED BY:


Rita Coleman

TITLE: Watershed Management Program Manager

APPENDIX A

The following numeric effluent limits or other special conditions are incorporated as terms and conditions with this permit authorization.

PART A

EFFLUENT LIMITATIONS, MONITORING, REPORTING AND RECORDKEEPING REQUIREMENTS AND PROHIBITIONS

1. EFFLUENT LIMITATIONS

a. Best Management Practices (BMPs)

Effluent limitations are established in this permit as Erosion and Sediment Control (E&S) Plans, Preparedness, Prevention, and Contingency (PPC) Plans, and other stormwater Best Management Practices (BMPs) which restrict the quantity and rate of accelerated erosion and the resulting sediment discharge to the Commonwealth. When necessary, specific narrative numeric effluent limits, are set forth in Appendix A, or other special conditions have been incorporated to assure that existing and designated uses of water of the Commonwealth will be maintained and protected from degradation.

b. Applicable Effluent Limitations

All stormwater discharges associated with construction activities must comply with applicable effluent limitations established in 25 Pa. Code Chapters 91-97, 102 and 105.

c. Water Quality Based Effluent Limitations

Water quality based effluent limitations shall be imposed under applicable state and federal law when necessary to ensure that the water quality standards of the receiving water are attained. Discharges of stormwater associated with a construction activity shall not result in a violation of the water quality standards.

d. Discharges

All discharges authorized by this NPDES permit shall be consistent with the terms and conditions of the permit.

2. MONITORING AND REPORTING

a. Visual Inspections

The permittee and co-permittee must ensure that visual site inspections are conducted on at least a weekly basis, and after each measurable precipitation event to ascertain that the E&S BMPs are operational and effective in preventing pollution to the waters of the Commonwealth. Site inspection must be conducted by qualified personnel, trained and experienced in erosion and sediment control. An NPDES Stormwater Construction Permit Inspection Log or other written report of each inspection shall be kept, and include:

- (1) the date, time, project information, weather conditions and the name of the person conducting the inspection.
- (2) a summary of site conditions, BMP's, corrective actions taken and compliance; and

In the event the permittee or co-permittee is required to monitor stormwater discharge outfalls regulated under this permit, all monitoring data shall be reported in accordance with Part A.2.e of this permit.

The Department and authorized County Conservation District, reserve the right to enter onto the site to conduct monitoring or require monitoring where necessary in appropriate circumstances such as where a danger of water pollution is present, or water pollution is suspected to be occurring from a construction activity subject to this permit. The permittee or co-permittee shall commence such monitoring upon notification from the Department or authorized County Conservation District.

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

b. Non-compliance Reporting

Where E&S BMP's are found to be inoperative or ineffective during an inspection, or any other time, the permittee and co-permittee shall immediately contact the Department or authorized County Conservation District, by phone or personal contact, followed by the submission of a written report within 5 days of the initial contact. Non-compliance reports shall include the following information:

- (1) any condition on the project site which may endanger public health, safety, or the environment, or involve incidents which cause or threaten pollution;

- (2) the period of non-compliance, including exact dates and times and/or anticipated time when the activity will return to compliance;
- (3) steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance; and
- (4) the date or schedule of dates, and identifying remedies for correcting non-compliance conditions.

c. Supplemental Monitoring

The Department, and the authorized conservation district reserve the right to require additional monitoring where a danger of water pollution is present, or water pollution is suspected to be occurring from a construction activity subject to this permit. The permittee or co-permittee shall commence monitoring upon notification from the Department, or the authorized County Conservation District.

d. Test Procedures

Unless otherwise specified in this permit, the test procedures for the analysis of pollutants shall be those contained in 40 C.F.R. Part 136, alternate test procedures approved pursuant to that part, or other alternate procedures approved by the Department.

e. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee or co-permittee shall record the following information:

- (1) The exact place, date and time of sampling or measurements;
- (2) The person(s) who performed the sampling or measurements;
- (3) The dates the analyses were performed;
- (4) The person(s) who performed the analyses;
- (5) The analytical techniques or methods used; and
- (6) The results of such analyses.

f. Availability of Reports.

Except for data determined to be confidential under §607 of the Clean Streams Law, all reports and other information prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate Department Regional Office or authorized County Conservation District.

3. PROHIBITIONS

If a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under §307(a) of the Federal CWA for a toxic pollutant which is present in the permittee's or co-permittee's discharge, and such standard or prohibition is more stringent than any limitation upon such pollutant in the NPDES permit, the Department shall revise or modify the permit in accordance with the toxic effluent standard or prohibition and so notify the permittee or co-permittee. In the absence of a departmental action to modify or to revoke and reissue this permit, and toxic effluent standard or prohibition established under §307(a) of the Act is considered to be effective and enforceable against the permittee.

4. RECORDKEEPING

a. Retention of Records

The permittee or co-permittee shall retain records of all monitoring activities and results including all calibration and maintenance records, copies of all reports required by the permit, and records of all data used to complete the application for this permit, for a period of three years from the date of the termination of coverage under this permit. This period may be extended by request of the Department, or an authorized County Conservation District.

b. Reporting of Monitoring Results

In the event monitoring of outfalls is conducted, monitoring results shall be summarized on a Discharge Monitoring Report Form (DMR) and submitted to the Department on an annual basis, postmarked no later than January 31st of

each year following the monitoring. If the construction activity is terminated (see condition 4 in the permit cover sheet) prior to the 31st of that year, the DMR should be submitted no later than 1 month following the date of the termination. (DMR forms can be obtained from the appropriate regional office of the Department's). A signed copy of the DMR form and all other reports required herein, shall be submitted to the Department's regional offices that authorized this permit.

5. DISCHARGES CONSISTENT WITH TERMS AND CONDITIONS OF THE PERMIT

All discharges authorized by this NPDES permit shall be consistent with the terms and conditions of this permit.

PART B

STANDARD CONDITIONS

1. MANAGEMENT REQUIREMENTS

a. Permit Modification, Termination, or Revocation and Reissuance

- (1) This permit may be modified, suspended, revoked and reissued, or terminated during its term for any of the causes specified in 25 Pa. Code Chapters 91, 92, 93, 95, 96, 97, 102 or 105 including but not limited to, the following.
 - (a) Violation of any terms of conditions of the permit;
 - (b) Obtaining a permit by misrepresentation or failure to discuss fully all relevant facts; or
 - (c) A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.
- (2) The filing of a request by the permittee or co-permittee for a permit or coverage modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated non-compliance, does not stay any permit condition.
- (3) Permit modification or revocation will be conducted according to 25 Pa. Code Chapters 92 or 102.

b. Duty to Provide Information

- (1) The permittee or co-permittee shall furnish to the Department, or the authorized County Conservation District within 30 days of the date of request, any information that the Department or authorized County Conservation District may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or coverage approved under this permit, or to determine compliance with this permit.
- (2) The permittee or co-permittee shall furnish, upon request, to the Department, or the authorized County Conservation District, copies of records required to be kept by this permit.
- (3) When the permittee or co-permittee becomes aware that they failed to submit any relevant facts or submitted incorrect information in the permit application, GIF, PPC Plan, E&S Control Plan, PCSM Plan or in any other report to the Department, or the authorized County Conservation District, the permittee or co-permittee shall promptly submit or correct such facts or information.
- (4) The permittee or co-permittee shall give seven calendar days advance notice to the Department, or the authorized County Conservation District, of any planned physical alterations or additions to the permitted facility which could, in any way, substantially affect the quality and/or quantity of stormwater discharged from the activity.

c. Signatory Requirements

Documents required, submitted, or maintained under this permit shall be signed in accordance with the following:

- (1) Applications, Transferee/Co-permittee Form, and Notices of Termination.
 - (a) Corporations: (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or (2) the manager of one or more manufacturing, production or operating facilities, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
 - (b) Partnerships or sole proprietorships: a general partner or the proprietor, respectively; or
 - (c) Municipalities, State, Federal, or other public agencies: either a principal executive officer or ranking elected official; (1) the chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

- (2) All reports, plans, documents, and other information required by the permit or requested by the Department, or the authorized County Conservation District, shall be signed by the permittee or co-permittee, or by a duly authorized representative of the permittee or co-permittee.
- (3) If there is a change in the duly authorized representative of the permittee or co-permittee, respectively, the permittee or co-permittee shall notify the Department, or an authorized County Conservation District within 30 days of the change.

d. Transfer of Ownership or Control

- (1) This permit is not transferable to any person except after notice to the Department, or authorized County Conservation District.
 - (a) In the event of any pending change in control or ownership of facilities from which the authorized discharges emanate, the permittee or co-permittee shall notify the Department, or the authorized County Conservation District, using the form entitled "Transferee/Co-permittee Application" of such pending change at least 30 days prior to the change in ownership or control.
 - (b) The Transferee/Co-permittee Application Form shall be accompanied by a written agreement between the existing permittee and the new owner or operator stating that the existing permittee shall be liable for violations of the permit up to and until the date of coverage transfer and that the new owner or operator shall be jointly and individually liable for permit violations under the permit from that date on.
 - (c) After receipt of the required documentation, the Department, or the authorized County Conservation District, shall notify the existing permittee and the new owner or controller of its decision concerning approval of the transfer. Such requests shall be deemed approved unless the Department, or the authorized County Conservation District, notifies the applicant otherwise within 30 days.
- (2) For purposes of this permit, operators shall include general contractors. If, prior to construction activities, the owner is the permittee and an operator/general contractor is later identified to become a co-permittee, the owner shall:
 - (a) Notify the Department, or the authorized County Conservation District, by submitting an administratively complete and acceptable Transferee/Co-permittee Application Form.
 - (b) After receipt of the documentation described in (a) above, the permit will be considered modified by the Department. For purposes of this permit, this modification is considered to be a minor permit modification.
 - (c) Monitoring reports and any other information requested under this permit should reflect all changes to the permittee and the co-permittee name.

e. Removed Substances

Solids, sediments and other pollutants removed in the course of treatment or control of stormwater shall be disposed in accordance with federal and state law and regulations in order to prevent any pollutant in such materials from adversely affecting the environment.

f. BMP Implementation and Maintenance

The permittee and co-permittee shall at all times properly implement all BMPs which are installed or used by the permittee or co-permittee as efficiently as possible to achieve compliance with the conditions of this permit and with the E&S Plan, PPC Plan and PCSM Plan. Proper implementation and maintenance includes, but is not limited to, effective performance, based on designed BMP capabilities, adequate staffing and training, and adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the implementation of additional or alternative and at all times operate and maintain BMP's, including PPC Plans, E&S Control Plans, and any other stormwater pollution prevention and management measures.

g. Reduction Loss, or Failure of BMP's

Upon reduction, loss or failure of any BMP, immediate action to restore, repair or replace the BMP or provide an alternative BMP, the permittee co-permittee shall take to ensure that there is no pollution discharges to the waters

of the Commonwealth. This requirement is applicable in situations where the BMP is rendered in effective, whether the cause or source of the reduction, loss or failure is within or beyond the control of the permittee or co-permittee.

h. Adverse Impact

The permittee and co-permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health, safety, or the environment.

i. Reduction, Loss, or Failure of the BMPs

Upon reduction, loss or failure of the BMPs, the permittee and co-permittee shall take immediate action to restore the BMPs or provide an alternative method of treatment.

j. Termination of Coverage

Notice of Termination. When all stormwater discharges associated with construction activity that are authorized by this permit are eliminated, the permittee or co-permittee of the facility must submit a Notice of Termination (NOT) form that is signed in accordance with Part B.1.c. (Signatory Requirements) of this permit. All NOTs certifying discharge termination are to be sent to the Department, or the authorized County Conservation District.

2. RESPONSIBILITIES

a. Duty to Comply

The permittee and co-permittee must comply with all terms and conditions of this general permit. Any permit non-compliance constitutes a violation of the Pennsylvania Clean Streams Law and the federal Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit or permit renewal.

b. Penalties for Violations of Permit Conditions, Falsification of Report or Other Document

Any person who violates a permit condition, fails to take corrective action to abate violations or falsifies reports or other documents subjects that person to administrative, civil, and/or criminal penalties or other appropriate action pursuant to under Section 602 and 605 of the Clean Streams Law, 35 P.S. Sections 691.602 and 691.605, and under the Clean Water Act as specified in 40 C.F.R. Sections 122.41(a)(2) and (3), which are incorporated by reference.

c. Need to Halt or Reduce Activity Not a Defense

The permittee or co-permittee may not use as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the conditions of this permit.

d. Property Rights

This permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

e. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

f. Other Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee or co-permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable Pennsylvania law or regulation under authority preserved by Section 510 of the Clean Water Act, 33 U.S.C. §1361, or under Section 311 of the Clean Water Act 33 U.S.C. §1321.

g. **Right of Entry**

Pursuant to Sections 5(b) and 305 of the Pennsylvania Clean Streams Law (35 P.S. §§691.5(b) and 691.305) and 25 Pa. Code Chapter 92, and §1917-A of the Administrative Code, the permittee or co-permittee shall allow the head of the Department, the EPA Regional Administrator, and/or an authorized representative of the Department, EPA, County Conservation District or, in the case of a facility which discharges to a municipal separate storm sewer, an authorized representative of the municipal operator or the separate storm sewer receiving the discharge, upon the presentation of credentials and other documents, as may be required by law, to:

- (1) Enter upon the premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
- (2) At any reasonable time, have access to and copy any records that must be kept under the terms and conditions of this permit; inspect any facilities or equipment (including monitoring and control equipment) and sample any substances or discharge at any location.

3. DEFINITIONS

Authorized County Conservation District - For purposes of this permit, shall generally mean the local County Conservation District that has entered into a delegation agreement with the Department to administer and enforce the NPDES Permit for Stormwater Discharges Associated with Construction Activities Program. The Department retains program administration and enforcement if the local County Conservation District is not delegated.

Best Management Practices (BMPs) - Activities, facilities, measures, or procedures used to protect, maintain, reclaim and restore the quality of waters, and existing and designated uses within this Commonwealth. BMPs include PPC Plans, E&S Plans, PCSM Plans, Stormwater Management Act Plans and other treatment requirements, operating procedures, and practices to control project site runoff, spillage or leaks, and other drainage from the construction activity.

Co-Permittee - A discharger of stormwater associated with construction activity who is jointly and individually responsible for compliance with all conditions of a permit and applicable laws with another entity for discharges to surface waters of the Commonwealth from their construction activity. Each co-permittee shall only be responsible for stormwater discharges from activities owned and/or operated by such co-permittee.

Department - The Department of Environmental Protection ("DEP") of the Commonwealth.

Director - The Director of the Bureau of Watershed Management, or any authorized employee thereof.

Erosion and Sediment Control Plan ("E&S Plan") - A site-specific plan that meets the requirements of Title 25, Chapter 102 and minimizes accelerated erosion and sedimentation.

Municipality - Any county, city, borough, town, township, school district, institution or any authority created by one or more of the foregoing.

Operator - The person with oversight responsibility of earth disturbance activity on a project site for a portion thereof who has the ability to make modifications to the Erosion and Sediment Control Plan or site specifications; or day-to-day operational control over earth disturbance activity on a project site or a portion thereof to ensure compliance with the Erosion and Sediment Control Plan.

Owner - A person who holds legal title to the land subject to construction activity. This term also includes the person(s) who held legal title to the land subject to construction activity at the time such activity was commenced on a site.

Person - Any operator, natural person, partnership, association, corporation, business organization, or any agency, instrumentality or entity of Federal or State Government. Whenever used in any clause prescribing and imposing a penalty, or imposing a fine or imprisonment or both, the term "person" shall not exclude the members of an association and the directors, officers, or agents of a corporation.

Preparedness, Prevention and Contingency Plan (PPC Plan) - A written plan that identifies an emergency response program, material and waste inventory, spill and leak prevention and response, inspection program, housekeeping program, security and external factors, developed and implemented at the construction site to control potential discharges of pollutants other than sediment into waters of the Commonwealth. Potential pollutants at construction activities can include, but are not limited to pesticides, fertilizers, lime, petrochemicals, construction-related chemicals and solvents, wastewater, wash water, core drilling wastewater, cement, sanitary wastes or hazardous wastes.

Post Construction Stormwater Management Plan (PCSM Plan) – A site specific plan identifying BMPs to manage stormwater runoff after construction activities have ended and the project site permanently stabilized to protect and maintain existing and designated uses. The PCSMP must contain a written narrative, including calculations or measurements, and justifications for each BMP. The BMPs should be designed to maximize infiltration technologies, minimize point source discharges to surface waters, preserve the integrity of stream channels, and protect the physical, biological and chemical qualities of the receiving water.

Runoff Coefficient – The fraction of total rainfall that will appear at the conveyance as runoff.

Stabilization – the proper placing, grading, constructing reinforcing, lining, and covering of soil, rock or earth to insure its resistance to erosion, sliding or other movement.

Stormwater – Stormwater runoff, snow melt runoff, and surface runoff and drainage.

Stormwater Associated with Construction Activity – The discharge into waters of the Commonwealth, municipal separate storm sewers, or non-municipal separate storm sewers from any conveyance which is used for collecting and conveying stormwater and which is related to construction activities. Construction activities include clearing, grading, and excavation activities of 1 acre or greater including those activities of less than one acre of total land area that are part of a larger common plan of development or sales. The term does not include stormwater discharges from silvicultural, agricultural, or road maintenance activities.

Surface Waters of the Commonwealth – Any and all rivers, streams, creeks, rivulets, impoundments, ditches, water courses, storm sewers, lakes, dammed water, ponds, springs, wetlands and all other bodies or channels of conveyance of surface water, or parts thereof, whether natural or artificial, within or on the boundaries of this Commonwealth.

Wetlands – Areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs and similar areas.

PART C

OTHER CONDITIONS

1. PROHIBITION OF NON-STORMWATER DISCHARGES

All discharges covered by this permit shall be composed entirely of stormwater, unless discharges of material other than stormwater are in compliance with an other NPDES discharge permit (other than this permit) issued for the discharge. Discharge of sewage or industrial waste (other than sediment under this permit) to an erosion and sediment control best management practice is not permitted.

The permittee or co-permittee may not discharge floating materials, oil grease, scum, foam, sheen and substances which produce odor, taste, turbidity, or settle to form deposits in concentrations or amounts sufficient to be, or create a danger of being, inimical to the water uses to be protected or to human, animal, plant or aquatic life.

2. EROSION AND SEDIMENT CONTROL PLANS

- a. An E&S Plan, must be prepared, developed, and implemented for each activity covered by this permit in accordance with the Department's Chapter 102 Rules and Regulations, and Department guidance. Each E&S plan must be submitted to the Department or authorized County Conservation District. The BMPs shall be designed to minimize the potential for accelerated erosion and sedimentation in order to protect, maintain, reclaim and restore water quality and existing and designated uses. Various BMPs and their design standards are listed in the Erosion and Sediment Pollution Control Program Manual (#363-2134-008). The manual is available from the Department or Authorized County Conservation District, or can be downloaded from the Department website www.dep.state.pa.us. E&S Plans, BMPs, and revisions thereto, which meet the requirements of 25 Pa. Code Chapter 102, are conditions of this permit and incorporated by reference.
- b. E&S Plans required under this permit are considered reports that shall be available to the public under Section 607 of the Clean Streams Law, and 25 Pa. Code, Chapter 92 of the Department's regulations. The owner or operator of a facility with stormwater discharges covered by this permit shall make E&S plans available to the public upon request. E&S Plans must be made available at the site of the construction activity at all times.
- c. The staging of earth disturbance activities and maintenance requirements contained in the E&S Control Plan must be followed.

3. RECYCLING AND DISPOSAL OF BUILDING MATERIALS AND WASTES

All building materials and wastes must be removed from the site and recycled or disposed in accordance with the Department's Solid Waste Management Regulations at 25 Pa. Code §260.1 *et seq.*, §271.1 *et seq.*, and §287.1 *et seq.* No building material or wastes or unused building materials shall be burned, buried, dumped, or discharged at the site.

4. PREPAREDNESS, PREVENTION AND CONTINGENCY PLANS

If the potential exists for causing accidental pollution of air, land, or water, or for causing endangerment of public health and safety through accidental release of toxic, hazardous, or other polluting materials, the permittee or co-permittee must develop a Preparedness, Prevention, and Contingency (PPC) Plan. The PPC Plan shall be developed in accordance with Department regulations. The PPC Plan shall identify areas which may include, but are not limited to, waste management areas, raw material storage areas, temporary and permanent spoils storage areas, maintenance areas, and any other areas that may have the potential to cause non-compliance with the terms and conditions of this permit due to the storage, handling, or disposal of any toxic or hazardous substances such as oil, gasoline, pesticides, herbicides, solvents, etc. BMP's shall be developed and implemented for each identified area. The PPC Plan shall be maintained on site at all times and shall be made available for review at the Department's or authorized County Conservation Districts' request.

5. POST CONSTRUCTION STORMWATER MANAGEMENT PLANS

A PCSM Plan that identifies the BMPs to be installed to manage and treat the stormwater discharge to protect water quality after construction must be prepared and implemented. Such BMPs should be designed to maximize groundwater infiltration, to protect the structural integrity of the stream, and to protect and maintain existing and designated uses. In addition, some counties have adopted Act 167 Stormwater Management Plans that incorporate measures to protect and

maintain existing uses and protect and maintain water quality to maintain those existing uses. In areas where plans exist and are supported by local ordinances, the applicant must design the PCSM Plan in accordance with these ordinances. Permittees and co-permittees are responsible for proper installation of the PCSM Plan BMPs prior to the submission of the Notice of Termination of this Permit.

6. PRE-CONSTRUCTION CONFERENCES

The permittee or co-permittee shall contact the Department or an Authorized County Conservation District at least seven days before construction is to begin to determine if a pre-construction conference is required. The permittee, co-permittee and others undertaking the earth disturbance activity must attend a pre-construction conference if requested by the Department or an authorized County Conservation District.

7. SPOIL OR BORROW AREA

An E&S Plan shall be submitted to the Department or an authorized County Conservation District for review and approval for all spoil and borrow areas, regardless of their location. All spoil and borrow areas shall be subject to the requirements contained in this permit.

8. PHASED PROJECTS

Prior to the commencement of earth disturbance activities for subsequent phases of the project, the permittee or co-permittee shall submit an E&S Plan and PCSM Plan, for each subsequent phase of the project for review and authorization by the Department or authorized County Conservation District.

Coverage under this permit is only granted for those phases or portions of a project for which an E&S Plan and PCSM Plan, and PPC Plan has been submitted to, reviewed and authorized by the Department or an authorized County Conservation District.

9. CLARIFICATION ASSISTANCE

The permittee or co-permittee shall contact the Department or an authorized County Conservation District for clarification of any requirements contained in this document; E&S Plan, PCSM Plan, PPC Plan, or other documents related to this permit.

10. WETLAND PROTECTION

If hydric soils or other indications that wetlands are present, a wetland determination must be conducted in accordance with Department procedures. All wetlands must be identified on the E&S Plan and PCSM Plan.



TOURISM IMPACT STUDY

Isle of Capri Casinos, Inc.
&
Nemacolin Woodlands Resort

Prepared by Isle of Capri Casinos, Inc.

March 31, 2010

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Introduction

Isle of Capri Casinos, Inc (Isle of Capri) examined the tourism industry in Western Pennsylvania on behalf of Woodlands Fayette, LLC and Nemacolin Woodlands Resort in order to assess the potential impact of the proposed casino development on the existing tourism market. The objective was to determine if the casino development might positively or negatively affect the existing tourism industry of the local area. Based on the study performed by TMG Consulting dated March, 2010, the project will bring larger visitation from the surrounding states and this was considered in this report.

Typically, the impact on the existing tourism market depends on the proximity of the existing attractions to the casino development, as well as the synergy created between the casino and surrounding areas. As part of the process, Isle of Capri examined comparable tourism markets around the country in proximity to existing casinos in order to ascertain any material impact. This report starts with a summary of national tourism trends, followed by background information on the Pennsylvania tourism market.

National Tourism Trends

According to the 2009 Lodging Industry Profile, travel and tourism in the United States are among the nation's largest industries and one of America's largest employers. The tourism industry ranks as one of the top 10 largest industries in 49 states including the District of Columbia and includes a number of interrelated businesses such as lodging properties, airlines, restaurants, cruise lines, car rental firms, travel agents and tour operators, among others. In 2008, the lodging industry generated \$25.8 billion in pretax profits alone. The Travel Industry of America ("TIA") tracks the demand trends of leisure travelers. In 2003 they compiled data that indicated the most popular leisure activity was shopping (30%), followed by attending a social/family event (27%). Among the Top 10 activities were outdoor activities, rural sightseeing, visits to historic places, sites and museums, gambling and visits to national or state parks.

According to the 2008 AGA Survey of Casino Entertainment, casino visitors enjoy an increasingly diverse and expanding array of entertainment options. Nearly three-quarters (72%) ate at a fine dining restaurant, almost half (48%) saw a show, concert or other live entertainment option and more than four out of ten (42%) went shopping or visited a bar or night club (42%).

In 2009, the United States Travel Association, Bureau of Labor Statistics reported that these tourism effects on our economy reflect that domestic and international travelers in the US spend an average of \$2.1 billion per day. Nationally, tourism generates \$770 billion in sales and pays \$117 billion in Federal, State and local taxes. The travel and tourism industry pays \$194 billion annually in travel related wages and salaries, employs

1.8 million hotel property workers and directly supports more than 7.7 million travel and tourism jobs.

Leisure travelers accounted for 56% of the lodging business according to a 2010 American Hotel and Lodging Association report. They also found that the typical leisure traveler is 35 – 54 years old, travels in pairs by auto and has an average yearly household income of \$78,800. These travelers make their own reservations with 42% spending one night, 30% spending two nights and 28% spending three or more nights.

According to a 2007 study by Restaurant News Resource of the travel habits, preferences and intentions of Americans, 95% of American adults have taken at least one overnight trip of more than 75 miles from home and nearly one out of ten (9%) of these trips were a gambling vacation.

Although the U.S. Travel Association predicted a 10.1% unemployment for 2010 – which has proven to ring true – they have also predicted total travel expenditure in the United States to be \$738.6 billion, up 4.8% from 2009 for a total of 1,501.7 million leisure trips for 2010.

2008 Results of the Economic Impacts of Travel and Tourism published in November of 2009 by the U.S. Travel Association show \$772.9 billion was spent on travel expenditures. Travel-generated employment resulted in 7.7 million jobs, travel generated payroll was \$194.1 billion and travel generated tax revenue totaled \$117.3 billion. This same report for the Commonwealth of Pennsylvania in 2007 indicated travel spending was \$20.3 billion, travel payroll was \$5.125 billion and travel employment was 214,400.

Additional National Tourism facts published by The Missouri Division of Tourism and published on their visitmo.com website details tourism facts for calendar year 2008. The report cites the number one reason for traveling in the United States is to visit relatives (26.27% of total), followed by shopping (19.13%) and visiting friends (13.67%). Gaming ranked 11th out of the 50 primary drivers cited, at 4.22% of the total.

A study called *A Survey of Urban Gaming in America*, conducted by Analysis Group, Inc., found positive correlations between tourism and gaming. The study noted that casino gaming has the potential to increase tourism if the development results in out-of-town visitors and that the prospects are enhanced if the supply of other nearby non-gaming amenities are present and accessible. Other nearby amenities might include lodging, entertainment, restaurants and shopping. The study cited statistics that suggest gaming enhances a tourist destination, such as that 81% of Americans find casino gaming to be an acceptable form of entertainment and that 7% of tourists participate in gambling during their trips.

Festivals and Special Events

The International Festivals & Events Associations (IFEA) has noted the rise in festivals and events throughout the world. Currently, there are more than one million annual international events that are large enough to require municipal support. The average number of events per community was 27. According to the TIA, "as the world grows smaller, festivals and events have become community 'calling cards', presenting what is important to communities and providing ideal travel destinations for visitors who have limited time to experience a particular area." Further, "festivals and events are typically created for a three-fold purpose that includes increasing residents' quality of life, driving tourism and making an economic impact." Festivals and events provide host communities with positive imaging and valuable media coverage that is non-purchasable.

Food oriented festivals, such as the 3-day Gilroy Garlic Festival in California and the 2-day Taste of Buffalo in New York, have become very popular in recent years. The New Orleans Wine and Food Experience highlights regional cuisine and wines from throughout the world and brings together wineries and chefs each year. By drawing connoisseurs from across the United States and the world, this 5-day event has increasingly become a major event for New Orleans.

Music festivals are also becoming increasingly popular. The New Orleans' French Quarter Festival, which was once only a local's event that precedes the hugely popular Jazz and Heritage Festival, has grown in attendance every year. Additionally, Austin City Limits and South By Southwest have helped establish Austin's reputation as a center for music creation and enjoyment in Texas.

Cultural and Heritage Tourism

According to the TIA, "More than half of the traveling American public consider it important to experience or learn about cultures other than their own when they travel". The arts have proven to be a magnet for travelers and local businesses are able to grow because travelers extend the length of their trips to attend cultural events. Compared to all U.S. travelers, cultural travelers spend more, are more mature, are more likely to use hotel and bed and breakfast accommodations, and travel longer on overnight trips.

City Destinations

Major cities in the United States continue to be a popular tourist destination attracting travelers to historical and cultural sites, shopping districts, restaurants and nightlife associated with city destinations. According to the 2004 National Leisure Travel Monitor, about 28% of leisure trips are geared towards the attractions associated with a particular city destination. Survey respondents reported taking an average of 1.6 trips to cities annually with middle age persons who have a higher household income more apt to pick a city as a tourist destination.

Cultural Attractions Visitation of Gamers

Regular casino patrons, referred to as 'Gamers', have a higher propensity to patronize cultural attractions than non-gamers. According to the 2006 Harrah's Profile of the American Casino Gambler, casino gamers are more likely than non-gamers to have increased their savings and decreased their debt. Gamers report that they are putting away money for the future while non-gamers report that they are just living day to day. Casino gamers have more confidence in their financial planning decisions than non-gamers; they take longer vacations and are more likely to have traveled more than 500 miles from their home.

Gamers are more likely to take overnight vacations to historical sites, as well as participate in a host of cultural activities. When compared to non-gamers, gamers were more likely to have gone to a museum, theatrical/Broadway show, art gallery and concerts.

Western Pennsylvania Regional Tourism Market

Background

The Western Pennsylvania region hosts a vibrant tourism industry. According to the Greater Pittsburgh Convention and Visitor Bureau, the Pittsburgh area alone welcomes roughly 10.2 million overnight travelers annually. The 2005 legalization of casino gaming has led to \$1.7 billion in capital investments through 2007 and includes a host of non-gaming amenities including retail space, championship golf courses, spas and meeting facilities according to the 2008 AGA Survey of Casino Entertainment.

The following chart was taken from information provided by the Nemaquin Woodlands Resort:

Nemaquin Woodlands Resort nearby attractions

Attraction	Description
Christian W. Klay Winery	Savor the very best in Pennsylvania wines. Once owned by the late U.S. Senator William E. Crow, the Christian W. Klay Winery is a study in Victorian style. A tour of the 19 th -century barn will allow visitors a glimpse into the art of winemaking.
Fallingwater	The inspiration behind our AAA Five-Diamond Falling Rock Hotel. Designed by the world-renowned Frank Lloyd Wright in 1936, Fallingwater originally served as a summer home to

department store owner Edgar J. Kaufmann. Imagination is reality at Fallingwater, as the home was constructed over a waterfall. This unique landmark has hosted more than two million visitors since it opened to the public in 1964.

Flight 93 Memorial	The story of Flight 93 is a national treasure – a story of hope in human courage and cooperation. When confronted with the gravity of their situation, the passengers and crew of Flight 93 chose to act heroically and sacrifice their lives for their country. Forty heroes made a decision to fight back against terrorism and thereby thwarted a planned attack on our nation's capital, saving many lives.
Fort Necessity National Battlefield	This is the site of the first battle of the French & Indian War; a battle in which a young George Washington was soundly defeated. Visitors can wander through the Visitor's Center, a reconstructed Fort Necessity and the Mount Washington Tavern.
Friendship Hill	Swiss emigrant Albert Gallatin's accomplishments and contributions are highlighted in his restored country estate, Friendship Hill. The estate offers activities for history buffs and outdoor enthusiasts alike. Take the self-guided house tour or explore the more than 10 miles of nature trails.
Jumonville Glen	The shots fired at Jumonville Glen were the first in what would later be known as the French and Indian War. Just 5 minutes north of the Summit Inn – and 7 miles from Fort Necessity – this scenic glen is open to visitors April through October.
Kentuck Knob	Another in the impressive Frank Lloyd Wright collection of homes. While privately owned, this home is open for guided public tours and will delight with unbelievable scenery. Additionally, visitors are invited to browse the landmark's impressive sculpture collection and on-site gift shop.
Laurel Caverns Geological Park	Pennsylvania's largest cave – Laurel Caverns – offers adventure seekers nearly 3 miles of twisting, turning passages for spelunking. Expect to come across some fantastic natural sculpturing deep within the catacombs. Rappelling is also available.
Ohiopyle State Park	The park has more than 19,000 acres of rugged natural beauty. Ohiopyle's claim to fame: more than 14 miles of Youghiogheny River Gorge that cuts through the heart of the Park - a spectacular sight.
Whitewater Rafting	Ohiopyle State Park's Youghiogheny River offers whitewater rafting at its white-knuckled best. Guided trips – available for all ages and skill levels – focus on rafting safety, designed to maximize a whitewater experience.

Pittsburgh Tourism Industry Employment

With the decline of the industrial sector the Pittsburgh region has begun to rely more heavily on the tourism industry. According to information released by the Greater Pittsburgh Convention & Visitors Bureau in 2009, the Pittsburgh tourism industry employs more than 77,000 people, and the Pittsburgh tourism and travel industry generated \$530 million state and local tax revenue in 2007 alone.

Impact on Western Pennsylvania Tourism

Isle of Capri considered the potential impact of a proposed casino development at Nemacolin Woodlands Resort on potential visits to the existing historical and cultural attractions in the area. Although it should be noted that Nemacolin Woodlands Resort itself already attracts many tourists; the resort is not immediately adjacent to any sensitive cultural or historic sites of significance. Traffic to, and from the resort is on primary roads that do not cross through protected areas.

Isle of Capri identified several documented examples where casinos had the potential to impact visitation of existing historic and cultural attractions. While some of this information is qualitative, the results are consistent.

St. Louis

Downtown St. Louis, Mo is the home of Lumiere Place Casino, which began operations in December, 2007. It is located in the heart of downtown with unparalleled views of the Mississippi River, the Arch and the downtown St. Louis skyline. The casino offers nearly 2,100 gaming positions and attracted 7.6 million visitors in 2009. The region's first Four Season's Hotel is adjacent to the casino.

Lumiere Place Casino, and the associated upscale hotel casino project, is within walking distance to the Edward Jones Dome, America's Center, the Jefferson National Expansion Memorial, the Museum of Westward Expansion, the central St. Louis business district, and in addition, it is near one of the oldest standing buildings in St. Louis: the St. Louis Old Courthouse and the iconic Gateway Arch. The Arch alone attracts one million visitors a year. Visitation has not diminished since the opening of the Lumiere Place Casino and the City of St. Louis strongly supported the project as a method for promoting incremental tourist visitation to the area.

Detroit

The City of Detroit currently hosts three casinos, including the MGM Grand Detroit Casino, the Motor City Casino and the Greektown Casino, opening for business in July 1999, December 1999 and November 2000, respectively. The casinos are all located within a couple of miles of the downtown Detroit waterfront and all are in close proximity to the historical, cultural and entertainment district. The chart below highlights some statistics for the Detroit area casinos:

Detroit Casino Summary

	# of Gaming Positions	2004 Gaming Revenue	2005 Gaming Revenue	2006 Gaming Revenue	2007 Gaming Revenue	2008 Gaming Revenue	2009 Gaming Revenue
MGM Grand	3,300	\$443.3m	\$460.7m	\$489.6m	\$513.5m	\$578.3m	\$547.6m
Motorcity Casino	3,240	436.2m	432.2m	468.7m	480.2m	465.0m	445.8m
Greektown Casino	3,000	319.9m	335.6m	345.0m	341.3m	316.3m	346.0m
Totals	9,540	1,199.4m	1,228.5m	1,303.3m	1,335 m	1,359.6m	1,339.4m

Source: Michigan Gaming Commission Board web site

The downtown Detroit area offers numerous historical and cultural attractions, including the Henry Ford Museum, Detroit Zoo, Detroit Institute of Arts, Detroit Historical Museum, Detroit Science Center, Charles H. Wright Museum of African American History and Diamond Jack's River Tours, among others. In 2005, The Innovation Group of Littleton, Colorado researched the impact the casinos may have made on various historical and cultural attractions in the Detroit downtown area. According to data provided by the Detroit Convention and Visitors Bureau, visitation to the top attractions in the Detroit area has not been negatively impacted by the casinos. This study noted two popular cultural tourist attractions in Detroit: the Charles H. Wright Museum of African American History and the Detroit Institute of Arts which is located in the heart of the downtown tourist district and in close proximity to the casinos. Data shows both museums, as well as other historical and cultural attractions in the area, have had no negative attendance impact since the opening of the casinos.

Milwaukee

The city of Milwaukee hosts the Potawatomi Bingo Casino, a Native American casino within a mile of downtown. The casino offers about 1,750 gaming positions, a 1,600 seat bingo parlor and three full-service restaurants, attracting roughly 4.7 million visitors annually.

Tourism is the second largest industry in the greater Milwaukee region. According to a tourism impact study conducted by Davison-Peterson Associates, Inc. and presented by Visit Milwaukee, travelers spent roughly \$2.4 billion in 2004 mostly on shopping, food

and beverage, recreation and lodging. The industry supported roughly 61,200 jobs, yielding \$1.4 billion in wages and \$285 million in state and local taxes. The downtown Milwaukee area offers about 3,615 hotel rooms. The occupancy rate for 2004 was estimated at 61%, a slight increase over the prior year. The major attractions include Discovery World, Milwaukee Public Museum and Milwaukee Art Museum.

In 2005, David Fantle, Director of Public Relations for Visit Milwaukee (formerly Milwaukee Convention and Visitors Bureau) cited that the experience of the casino has been generally positive, especially for the convention and group business. He noted that the casino offers restaurants and shows which are important to groups.

New Orleans, Louisiana

Historically, New Orleans has attracted visitors for a number of activities including music festivals and celebrations, historical attractions, sporting events and its rich and eclectic flavor founded in its heritage. The Historic New Orleans Collection, established in 1966, operates a museum in a complex of historic French Quarter buildings that illustrates the history of the city and the state. Harrah's opened a permanent casino nearby in October, 1999.

Looking at the stable period of project opening until Hurricane Katrina, visitation to the gaming establishment was fairly consistent, with between 6.2 – 7 million visitors per year. Prior to the opening of the casino, visitation at the Historic New Orleans Collection averaged 21,730 (1995 – 1998), growing at an average annual rate of 4.1%. In the years after the casino opened (1999 – 2004) average annual visitation increased to 29,631, an increase of approximately 36.4% over the pre-casino average. Annual growth has averaged 5.1% from 1999 – 2004. This increased visitation at the Historic New Orleans Collection following the opening of nearby casinos shows that a cultural/historic attraction can thrive with nearby entertainment attractions that include casino gaming. In the period following Katrina, the casino was able to help stabilize the area by providing jobs and activity in an area hard hit by the storm.

Boonville, Missouri

Boonville is located centrally within the state of Missouri and hosts several cultural and historical attractions and has been home to an Isle of Capri facility since 2001. Isle of Capri – Boonville offers 28,000 square feet of gaming space, three restaurants, meeting and conference space, live entertainment, a retail center and an historic display area. In 2009, the facility reported over 2.3 million visits and over \$81.3 million in adjusted gross receipts to the Missouri Gaming Commission. Simultaneously, the town hosts several events annually highlighting model trains, music concerts, arts and heritage.

A former Executive Director of the Friends of Historic Boonville, a non-profit group that promotes the city's cultural heritage and attractions, was contacted and cited that the

presence of the casino has led to incremental visitation at the group's attractions although no effort had been made to quantify the effect.

Conclusion

Based on the cumulative weight of the evidence, we do not expect a negative impact to the existing Pennsylvania tourism industry resulting from the development of the proposed casino. The research we conducted did not uncover any quantitative trends or qualitative information that shows a negative impact to existing tourism markets with casinos in close proximity. Without exception, the information suggested a positive impact or no impact at all.

In fact, Isle believes a strong case can be made that our project will actually support the existing tourism industry in Western Pennsylvania, especially for area hotels. The hotels in close proximity will benefit due to overflow from the Nemacolin Woodlands hotels and lodging during peak times, most especially weekends, holidays and during popular marketing events.

Furthermore, based on the Portrait of American Gamblers gaming study, casino gamblers spend a substantial amount of money on typical travel related items in addition to gambling, including food & beverage, entertainment, shopping and lodging. As one might expect, the expenditures are considerably higher for overnight gaming visits as opposed to single day trips.

We have observed that, from a tourism perspective, gaming operations usually complement other entertainment and cultural attractions. In fact, it is well known that overnight visitors to casinos only spend a fraction of their time on the actual gaming floor. The rest of their time is spent seeking other sources of entertainment, including local entertainment and cultural options.

Since the Nemacolin project will attract increased visitation from outside the local area, it is expected to expose various regional cultural and historical assets to a wider population. We believe this exposure will create a positive benefit for those institutions since experience in other jurisdictions shows that a percentage of these visitors will take advantage of these offerings. The per capita spend resulting from increased visitation will help support these important attractions.



McMILLEN ENGINEERING

CIVIL ENGINEERS • LAND SURVEYORS

115 Wayland Smith Drive • Uniontown • Pennsylvania • 15401
Phone 724-439-8110 Fax 724-439-4733

NEMACOLIN WOOLANDS RESORT AND SPA LADY LUCK NEMACOLIN

TRAFFIC IMPACT STUDY AMENDMENT

**Wharton Township,
Fayette County, Pennsylvania**

January 2010

Prepared for:

Woodlands Fayette, LLC
1001 LaFayette Drive
Farmington, PA 15437

Prepared by:

McMILLEN ENGINEERING INC.
115 Wayland Smith Drive
Uniontown, PA 15401
724-439-8110
Fax 724-439-4733



2009-309

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REFERENCE MATERIAL

1. Highway Capacity Software (HCS+T7F) Version 5.3 – University of Florida.
2. Policies and Procedures for Transportation Impact Studies, Pennsylvania Department of Transportation, January 28, 2009.
3. Highway Capacity Manual, Transportation Research Board, Washington, D.C., 2000.
4. A Policy on Geometric Design of Highways and Streets, American Association of State Highway and Transportation Officials, 2004.
5. ITE Trip Generation Manual 8th Edition, 2008.
6. PennDOT Publication 282, April 2004.
7. Chapter 212 Official Traffic Control Devices, Pennsylvania Department of Transportation, March 2006.
8. Manual on Uniform Traffic Control Devices (MUTCD), Federal Highway Administration, December 2009.

APPENDICIES

1. Capacity Analysis (2010 Base Conditions)
2. Capacity Analysis (2020 Base Conditions)
3. Capacity Analysis (2010 Developed Conditions)
4. Capacity Analysis (2020 Developed Conditions)
5. Signal Warrant Analysis

I INTRODUCTION

On behalf of Woodlands Fayette, LLC, McMillen Engineering has prepared an amendment to the Traffic Impact Study for the proposed casino at Nemacolin Woodlands Resort located in Wharton Township, Fayette County, PA. This amendment has been completed to analyze the proposed signalized intersection using the revised trip generation and updated traffic volumes for the 2010 and 2020 conditions. The capacity analysis has been performed using the newest version of the HCS software (HCS+T7F Version 5.3). These changes only had minor effects to the results; therefore all of the recommendations from the approved study will remain the same.

**TABLE 1
AREA POPULATION DATA**

City / County	2000 Census*
Uniontown	12,422
Fayette	148,644
Westmoreland	369,993
Washington	202,897
Greene	40,672
Somerset	80,023

*2000 census population (critical) used in traffic distribution calculations.

**TABLE 2
DEVELOPMENT COMPONENTS
TRAFFIC IMPACT STUDY**

ITE Number	Development Component	Description
473	Casino	600 Slots & 28 Tables

<p align="center">TABLE 3 PROJECTED TRIP GENERATION NEMACOLIN WOODLANDS RESORT AND SPA CASINO Wharton Township, Fayette County, Pennsylvania</p>									
PROJECTED VEHICLE TRIP GENERATION (1)									
Development Component	Size	ITE Code (7)	Average Weekday Daily Traffic (4)	Weekday Peak PM Hour (5)			Saturday Peak AM Hour (6)		
				Enter	Exit	Total	Enter	Exit	Total
Casino	600 Slots (2)	473		188	166	354	204	180	384
	24 Black Jack Tables, 7 seats/table (3)	473		53	47	100	57	51	108
	2 Craps Tables, 10 seats/table (3)	473		6	6	12	7	6	13
	2 Roulette Tables, 10 seats/table (3)	473		6	6	12	7	6	13
Casino Total				253	225	478	275	243	518

- (1) Trip generation rates based on Institute of Transportation Engineers, Trip Generation Manual 8th edition.
- (2) Trip generation rates based on data provided by PADOT 12-0.
- (3) Trip generation rates based on data provided by Isle of Capri Casinos and data provided by PADOT 12-0
- (4) Average weekday daily traffic volumes projected to be generated during a typical weekday (total trips entering and exiting)
- (5) Trips shown for weekday pm peak hour of generator. The projected trips are applied to the peak hour of adjacent street traffic.
- (6) Trips shown for Saturday peak hour of generator. The projected trips are applied to the peak hour of adjacent street traffic.
- (7) ITE land use code from Institute of Transportation Engineers, Trip Generation Manual 8th edition

II BASE TRAFFIC ANALYSIS

A. Traffic Impact Study Findings

The following approach level of service (LOS) were observed for the study intersection.

SR 0040 / Casino Driveway and Marker Road

LOS B - Weekday PM Peak Hour 2010 Conditions without Development

LOS C - Weekday PM Peak Hour 2010 Conditions with Development

LOS B - Saturday Peak Hour 2010 Conditions without Development

LOS C - Saturday Peak Hour 2010 Conditions with Development

LOS B - Weekday PM Peak Hour 2020 Conditions without Development

LOS C - Weekday PM Peak Hour 2020 Conditions with Development

LOS C - Saturday Peak Hour 2020 Conditions without Development

LOS C - Saturday Peak Hour 2020 Conditions with Development

III EXISTING TRANSPORTAION SYSTEM

A. Existing Traffic Volume Peak Hours

Data was collected for turning movements in the study area during Friday and Saturday peak hours. The study considers the weekday PM and Saturday peak periods.

TABLE 4 PEAK HOUR SUMMARY		
Intersection	Peak Weekday PM	Peak Saturday AM
All	4:45 – 5:45	10:45 – 11:45

B. Traffic Signal Warrant Analysis

The need for a traffic signal at a particular intersection is based upon criteria in Publication 212, Official Traffic Control Devices⁷ and Manual on Uniform Traffic Control Devices (MUTCD)⁸. Signalization is based on factors such as traffic volumes, vehicular movements, capacity analysis, speed data, and accident analysis. One or more of the traffic signal warrants must be met to justify a traffic signal.

A traffic signal warrant analysis has been performed for the Casino Driveway intersection. This intersection does warrant a traffic signal.

The results of the Traffic Signal Warrant Analysis are presented in Appendix 5.

C. Highway Capacity Analysis

The Highway Capacity Manual³ defines capacity analysis as a set of procedures used to estimate the traffic-carrying ability of a facility over a range of defined operational conditions. The operations conditions are described in terms of a letter from "A" to "F" with "A" being the most desirable condition. A description of the various levels of service is outlined in the Highway Capacity Manual.

The level of service at signalized intersections measures the average stop delay time per vehicle and also the volume to capacity ratio as it relates to the specific intersection. The capacity ratio compares the peak hour traffic volumes to the theoretical maximum traffic volumes that the facility can accommodate.

The level of service for an unsignalized intersection measures the delay to turning traffic to find a gap in a major street traffic flow to allow for the successful completion of the desired turning movement. The critical movements at unsignalized intersections are left turns on the main streets and left turns on the side streets.

Capacity analyses were performed for 2010 and 2020 Weekday PM peak hour and Saturday peak hour periods, base condition and developed conditions, for all study intersections. The capacity analysis results are provided in Appendix 1-4. A summary of the LOS analysis results are presented in Table 5. Summaries of the traffic volume and levels of service are presented in Figures 6-9.

IV DESIGN CONDITIONS

A. Design Year and Assumptions

The future year of 2020 was selected as the design year based upon the PaDOT policy of designing improvements for ten years beyond the proposed development. Additional assumptions include the traffic growth rate, current Transportation Improvement Program (TIP) items, and traffic volumes generated by other developments in the study area or close vicinity.

The traffic growth rate of 1% per year was obtained from the Southwestern Pennsylvania Regional Planning Commission (SPC).

B. Recommendations

McMillen Engineering recommends the improvements to the corridor as outlined in the analysis and this report. The improvements include:

SR 0040 / Casino Driveway and Marker Road

- Install a medium volume signalized driveway with left turn lanes for both SR 0040 approaches.

TABLE 5
INTERSECTION LEVEL OF SERVICE SUMMARY
2010 CONDITIONS
SR 0040

Wharton Township, Fayette County, Pennsylvania
Prepared by: McMillen Engineering Inc.

	Level of Service/Average Seconds of Delay (Signalized Intersection) or Reserve Capacity (Unsignalized Intersections) 2010 Conditions			
Intersection/Approach/Movement	Weekday PM Peak		Saturday Peak	
SR 40 / Casino Driveway and Marker Road	Undeveloped	Developed	Undeveloped	Developed
SR 40 Eastbound				
Left Turns	--	C / 34.7	--	C / 34.0
Right Turns and Throughs	--	B / 19.8	--	B / 19.3
Approach	--	C / 22.2	--	C / 22.1
SR 40 Westbound				
Left Turns	A / 8.9	C / 27.8	A / 9.1	C / 27.3
Right Turns and Throughs	--	B / 15.3	--	B / 16.1
Approach	--	B / 15.5	--	B / 16.2
Marker Rd. Northbound				
Left & Right Turns and Throughs	B / 13.2	C / 26.1	B / 14.4	C / 25.7
Approach	B / 13.2	C / 26.1	B / 14.4	C / 25.7
Casino Driveway Southbound				
Left Turns and Throughs	--	C / 28.8	--	C / 28.5
Right Turns	--	C / 27.8	--	C / 27.5
Approach	--	C / 28.3	--	C / 27.9
Entire Intersection LOS	--	C / 20.5	--	C / 20.8

**TABLE 5
INTERSECTION LEVEL OF SERVICE SUMMARY
2020 CONDITIONS**

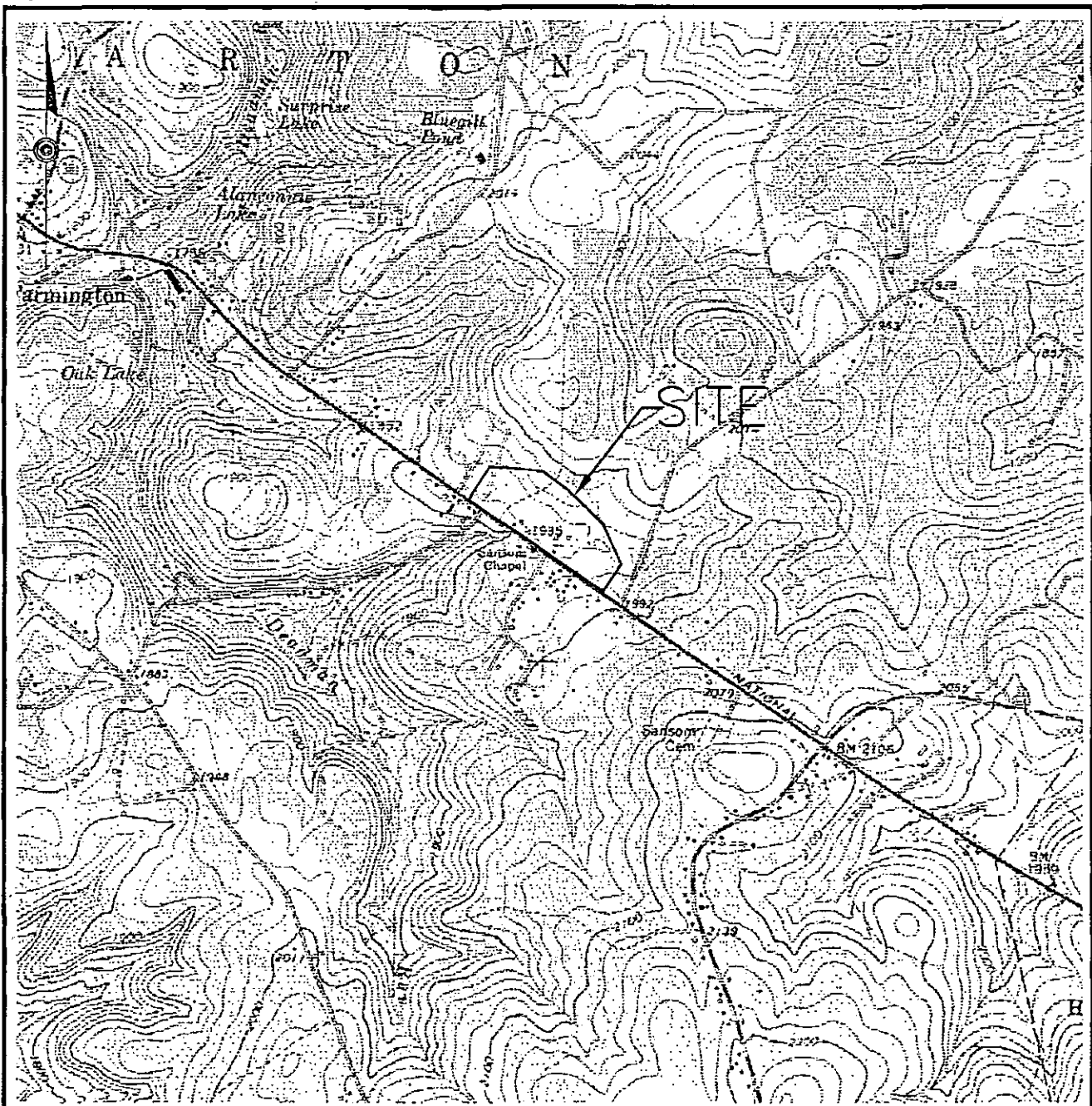
SR 0040

Wharton Township, Fayette County, Pennsylvania

Prepared by: McMillen Engineering Inc.

	Level of Service/Average Seconds of Delay (Signalized Intersection) or Reserve Capacity (Unsignalized Intersections) 2020 Conditions			
Intersection/Approach/Movement	Weekday PM Peak		Saturday Peak	
SR 40 / Casino Driveway and Marker Road	Undeveloped	Developed	Undeveloped	Developed
SR 40 Eastbound				
Left Turns	--	C / 34.7	--	C / 34.0
Right Turns and Throughs	--	C / 27.8	--	B / 19.5
Approach	--	C / 28.8	--	C / 22.0
SR 40 Westbound				
Left Turns	A / 9.1	C / 27.8	A / 9.4	C / 27.4
Right Turns and Throughs	--	B / 17.8	--	B / 15.3
Approach	--	B / 17.9	--	B / 15.5
Marker Rd. Northbound				
Left & Right Turns and Throughs	B / 14.0	C / 25.3	C / 15.3	C / 27.4
Approach	B / 14.0	C / 25.3	C / 15.3	C / 27.4
Casino Driveway Southbound				
Left Turns and Throughs	--	C / 27.7	--	C / 31.0
Right Turns	--	C / 26.8	--	C / 29.6
Approach	--	C / 27.2	--	C / 30.3
Entire Intersection LOS	--	C / 24.6	--	C / 20.7

FIGURES



QUADRANGLE: FORT NECESSITY, PA

SCALE: 1"=2000'

USGS LOCATION MAP

OUTDOOR STORE RENOVATION

Wharton Township

Fayette County

Pennsylvania

Prepared by

McMILLEN ENGINEERING

CIVIL ENGINEERS/LAND SURVEYORS

115 Wayland Smith Drive, Uniontown, PA 15401

Phone (724) 439-8110

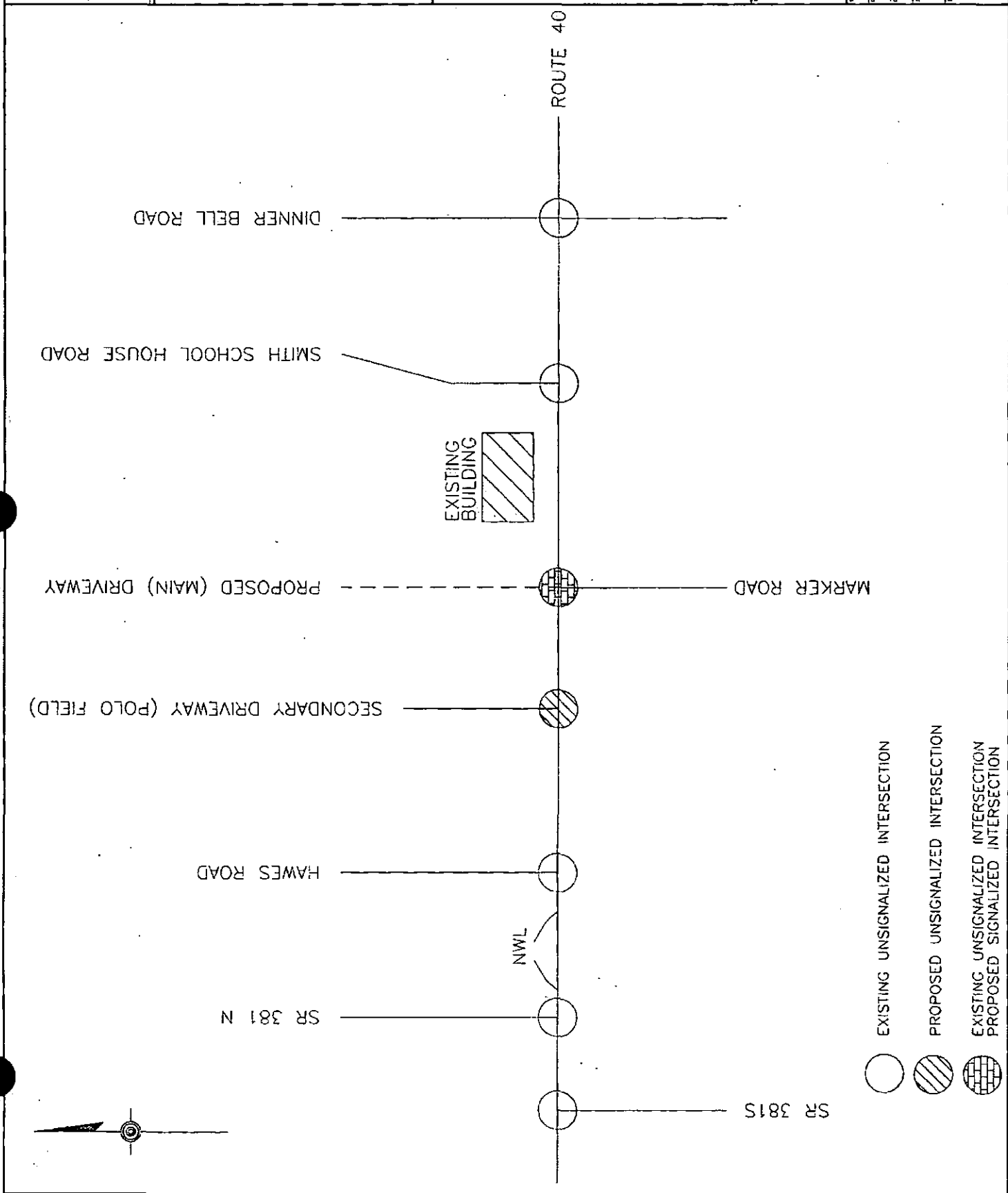
McMillen
engineering
 CIVIL ENGINEER
 LAND SURVEYOR
 115 Westland Drive
 Harrisburg, PA 17104
 Phone: 717.633.8110
 Fax: 717.633.8125
 Email: info@mcmlen.com

NO.	DESCRIPTION	DATE	BY

NEMACOLIN WOODLANDS RESORT AND SPA
 PREPARED FOR
WOODLANDS FAYETTE, LLC
 WILKESVILLE TOWNSHIP, FAYETTE COUNTY
 PENNSYLVANIA
 PROJECT NO. 2009-001

TRAFFIC ANALYSIS AREA MAP	
DATE	12/01/05
BY	12/01/05
SCALE	N.T.S.

FIGURE 2



mcmillen
engineering

CIVIL ENGINEER
LAND SURVEYOR

110 West 1st St.
P.O. Box 100
Pittsburg, KS 67070
Phone: 781-234-1100
Fax: 781-234-1101
Web Site: www.mcmilleng.com
Email: info@mcmilleng.com

NO.	DATE	DESCRIPTION
1	01/01/05	PREPARED FOR
2	01/01/05	APPROVED
3	01/01/05	REVISION

NEMACOLIN WOODLANDS RESORT AND SPA

LADY LUCK NEMACOLIN

PREPARED FOR

WOODLANDS FAYETTE, LLC

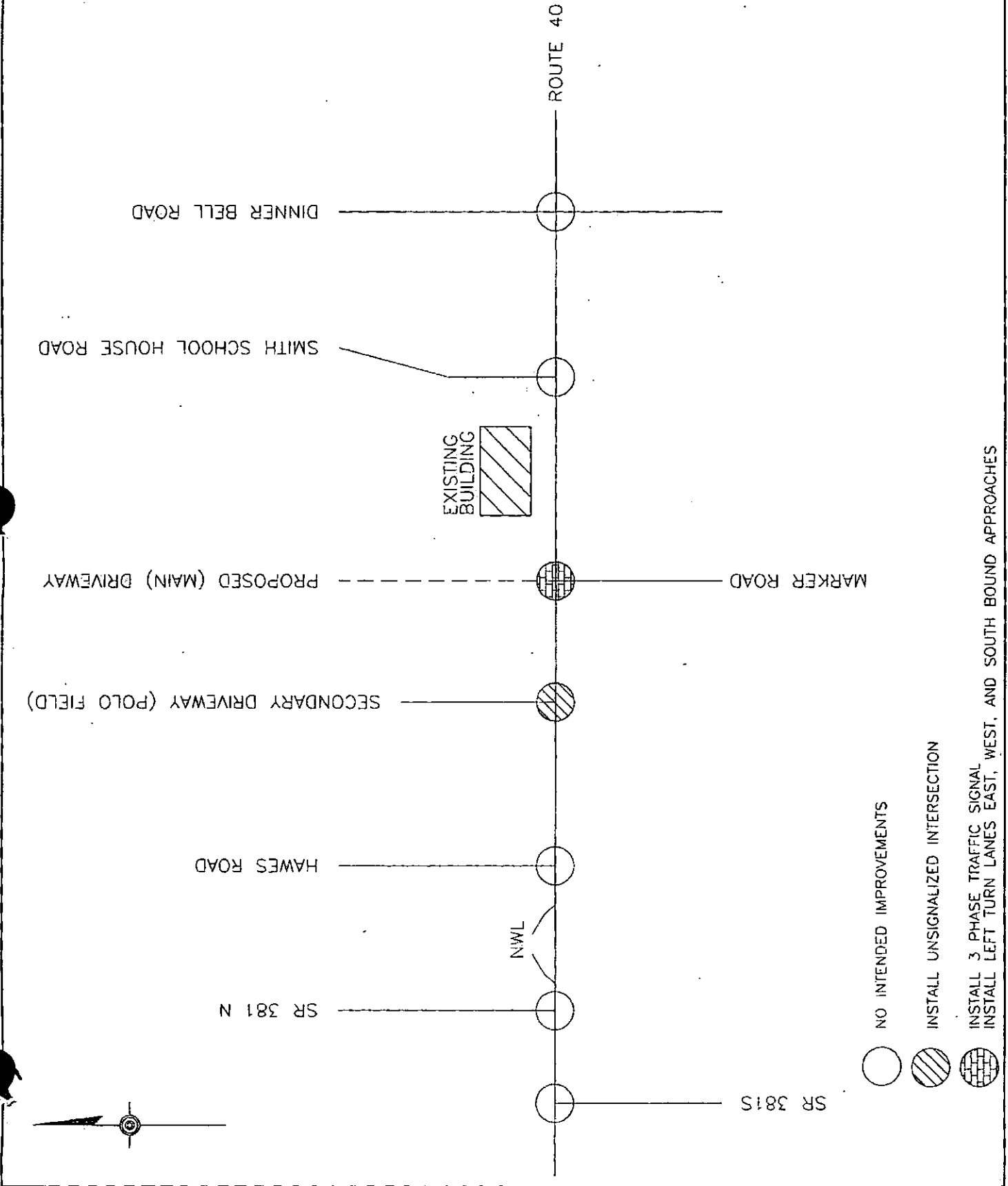
WHARTON TOWNSHIP, FAYETTE COUNTY

PENNSYLVANIA

RECOMMENDED IMPROVEMENTS MAP

DATE	01/01/05
BY	MM
CHECKED	12/01/05
APPROVED	12/01/05
SCALE	N.T.S.

FIGURE 3



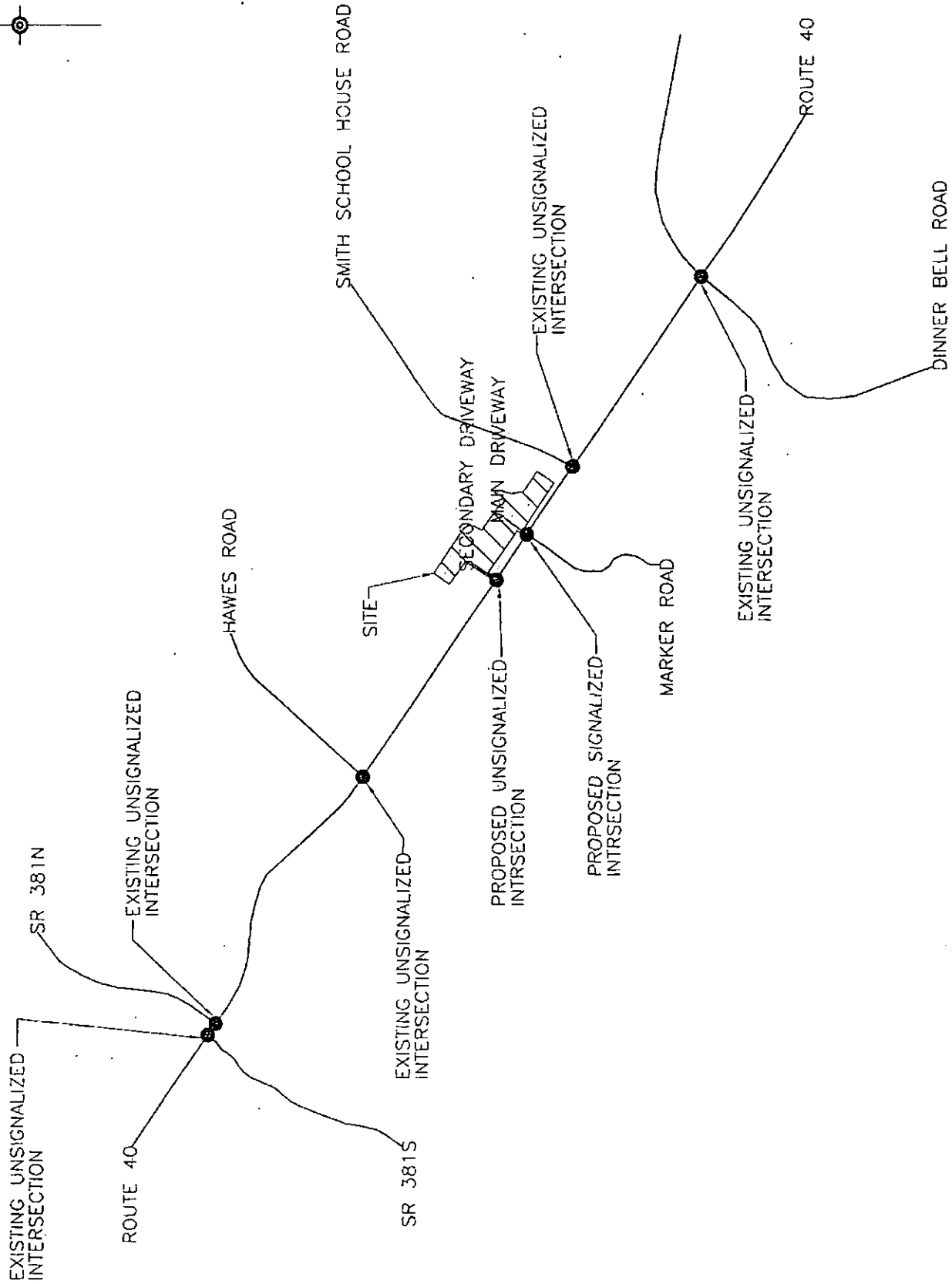
NO.	DESCRIPTION	DATE	BY

NEMACOLIN WOODLANDS RESORT AND SPA
PREPARED FOR
LADY LUCK NEMACOLIN
WOODLANDS FAYETTE, LLC
WHARTON TOWNSHIP, FAYETTE COUNTY
PENNSYLVANIA
DATE: 11/23/05
BY: [Signature]

**TRANSPORTATION
PLAN**

PROJECT NO.	2009-300
DATE	11/23/05
BY	IR
CHECKED	11/23/05
DATE	11/23/05
BY	IR
SCALE	N.T.S.

FIGURE 4



NO.	DESCRIPTION	DATE	BY

NEMACOLIN WOODLANDS RESORT AND SPA

LADY LUCK NEMACOLIN

PREPARED FOR

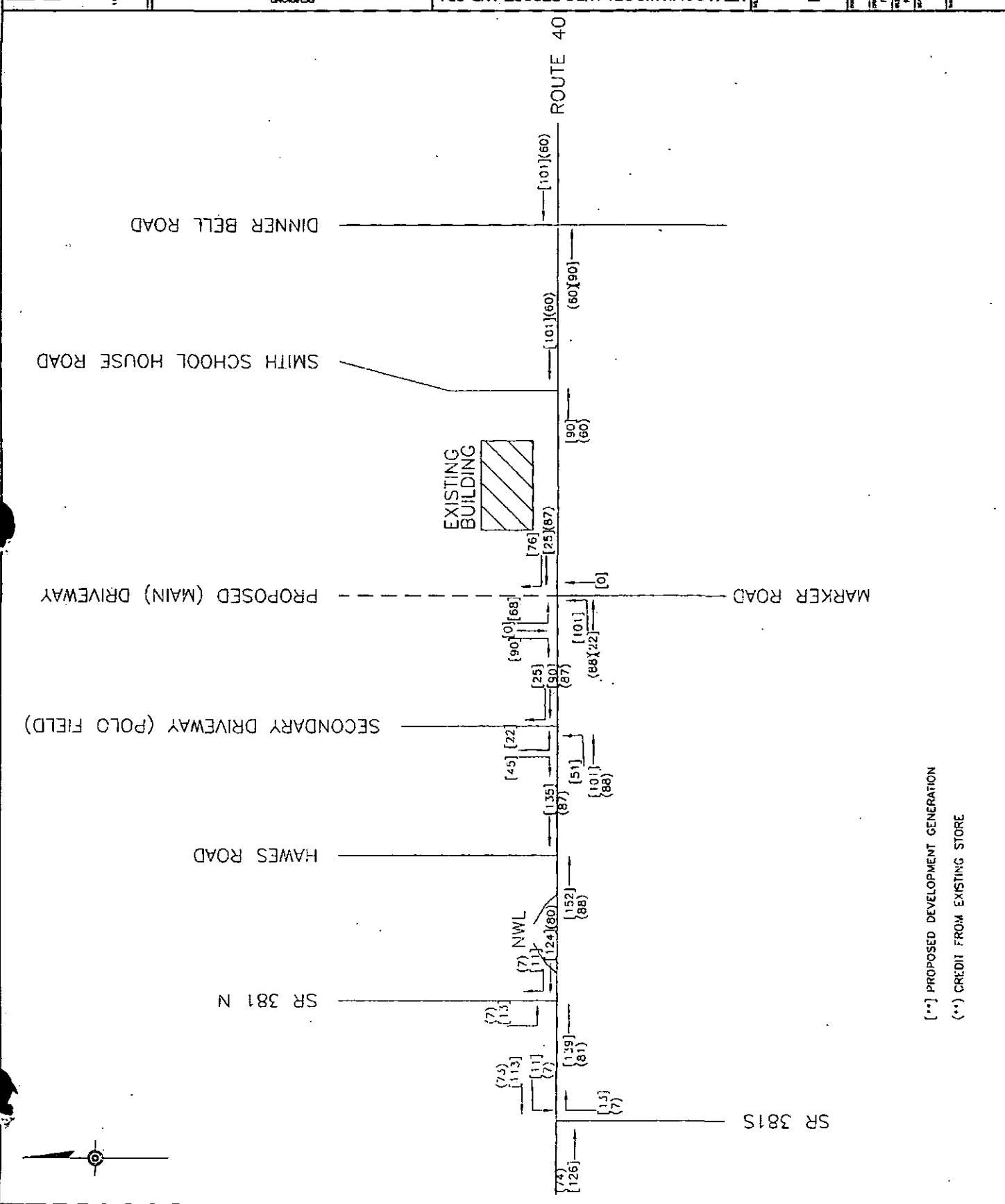
WOODLANDS FAYETTE, LLC

WMARTON TOWNSHIP, FAYETTE COUNTY

PENNSYLVANIA

WEEKDAY PM DISTRIBUTION MAP	
DATE	11/23/05
BY	TH
DATE	11/23/05
BY	TH
DATE	11/23/05
BY	TH
DATE	11/23/05
BY	TH

FIGURE 5A





116 W. 42nd Street, 10th Fl., Uniontown, PA 154
Phone 724-439-4110 Fax 724-439-4733
Web Site www.hartfiling.com
E-mail b-hartfiling.com

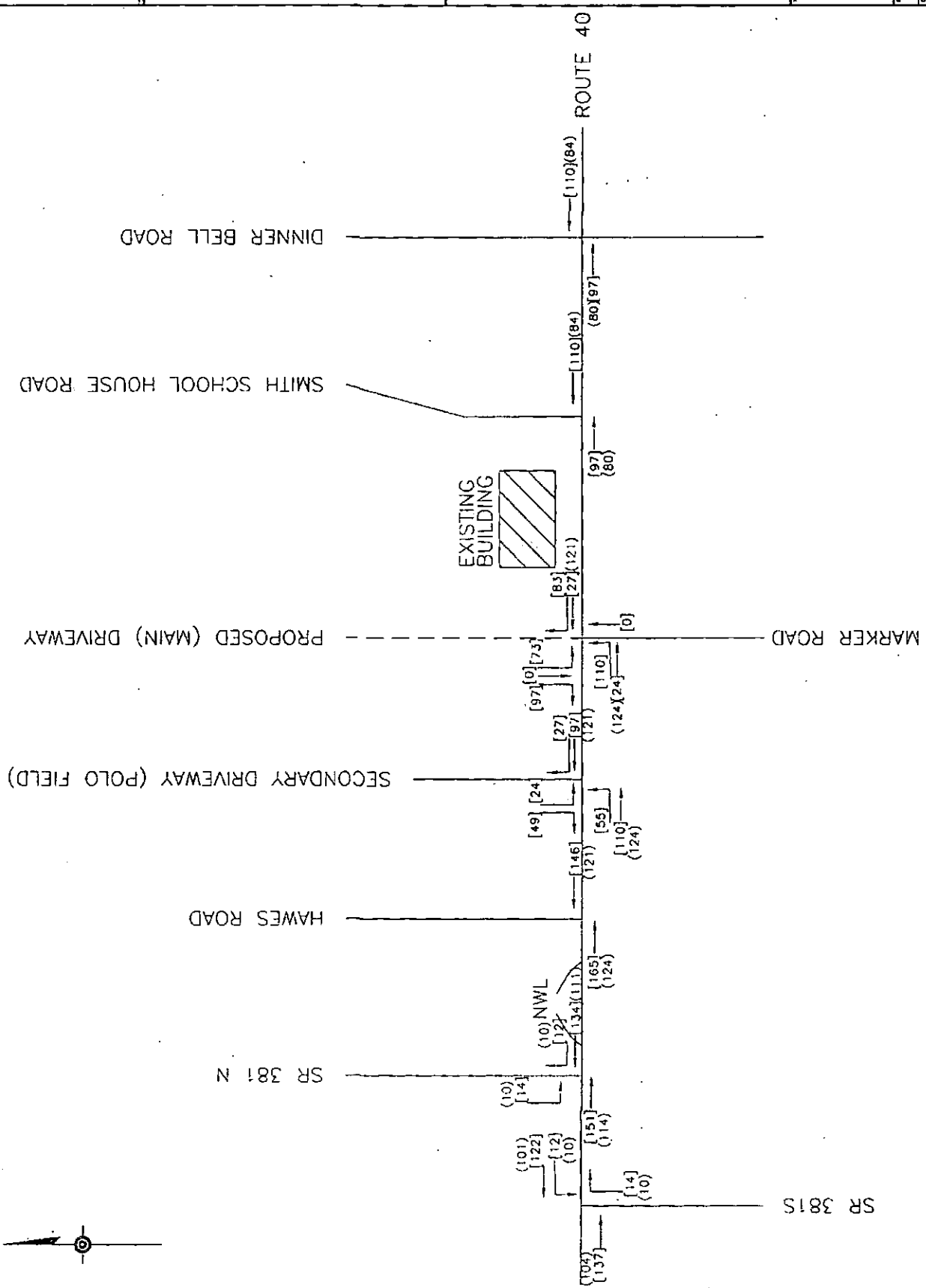
NO.	DESCRIPTION	DATE	BY
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WOMEN'S WEAR
LADY LUCK NEMACOLIN
PREPARED FOR
WOODLANDS FAYETTE, LLC
WHARTON TOWNSHIP, FAYETTE COUNTY
PENNSYLVANIA

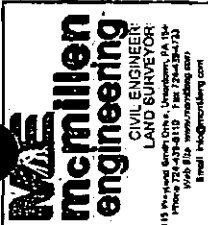
**SATURDAY
DISTRIBUTION MAP**

[illegible]

FIGURE 5B



[**] PROPOSED DEVELOPMENT GENERATION
 (**) CREDIT FROM EXISTING STORE



15 Westwood Garden City St., Westwood, PA 1534
Phone 724-238-8110 Fax 724-238-4723
Web Site www.marshaling.com
E mail info@marshaling.com

REGIONS		DESCRIPTION	DATE	BY

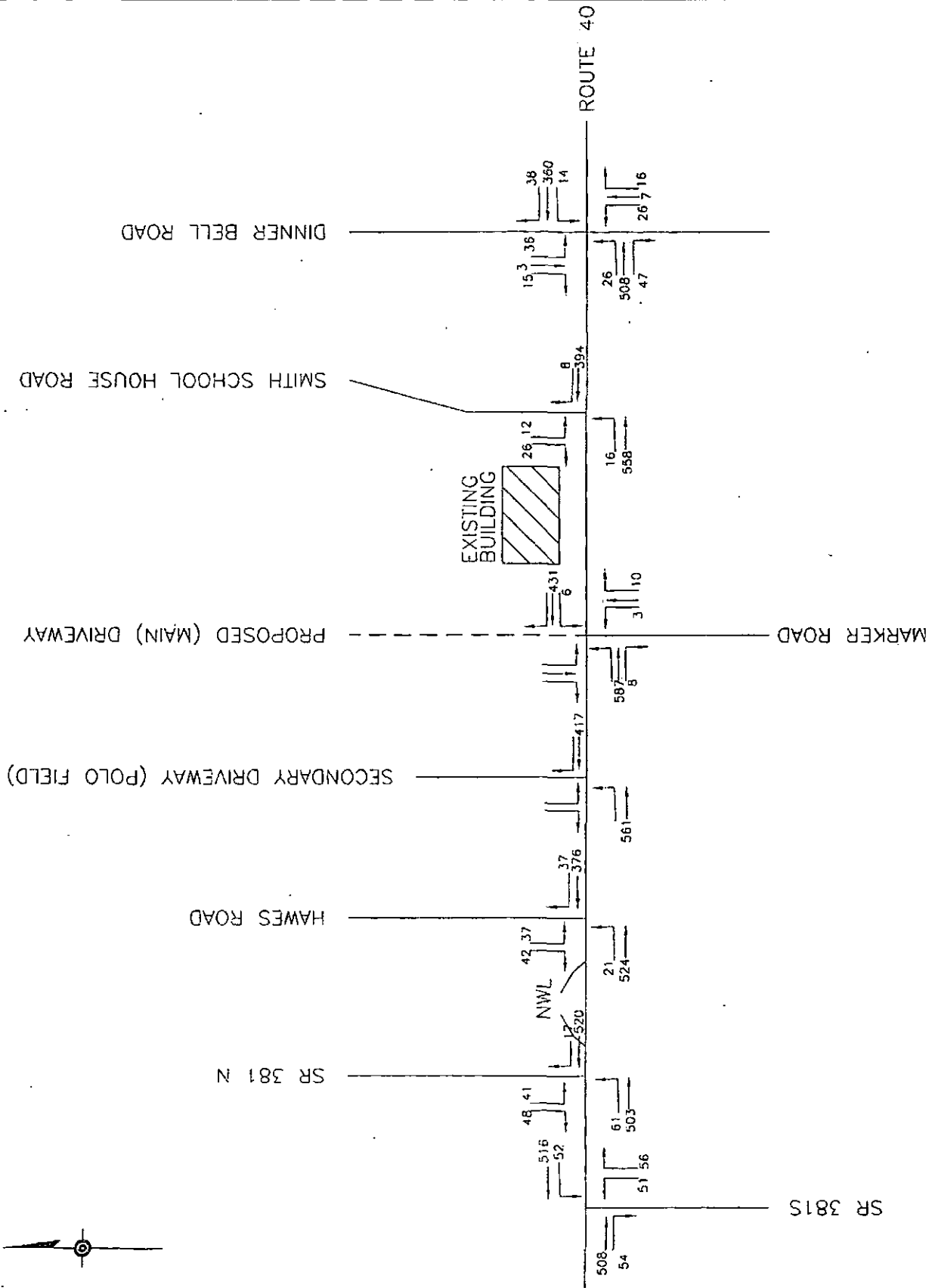
NEMACOLIN WOODLANDS RESORT AND SPA
 LADY LUCK NEMACOLIN
 PREPARED FOR
 WOODLANDS FAYETTE, LLC
 WHARTON TOWNSHIP, FAYETTE COUNTY
 PENNSYLVANIA

2010 WEEKDAY PM
PEAK HOUR BASE
VOLUMES

BOOK NO.	..	DATE ACQ.	2009-309
ISSUES	11/23/03	DEPOSITED	11/23/03
RECEIVED	11/23/03	DATE	..

N.T.S.

FIGURE 6A



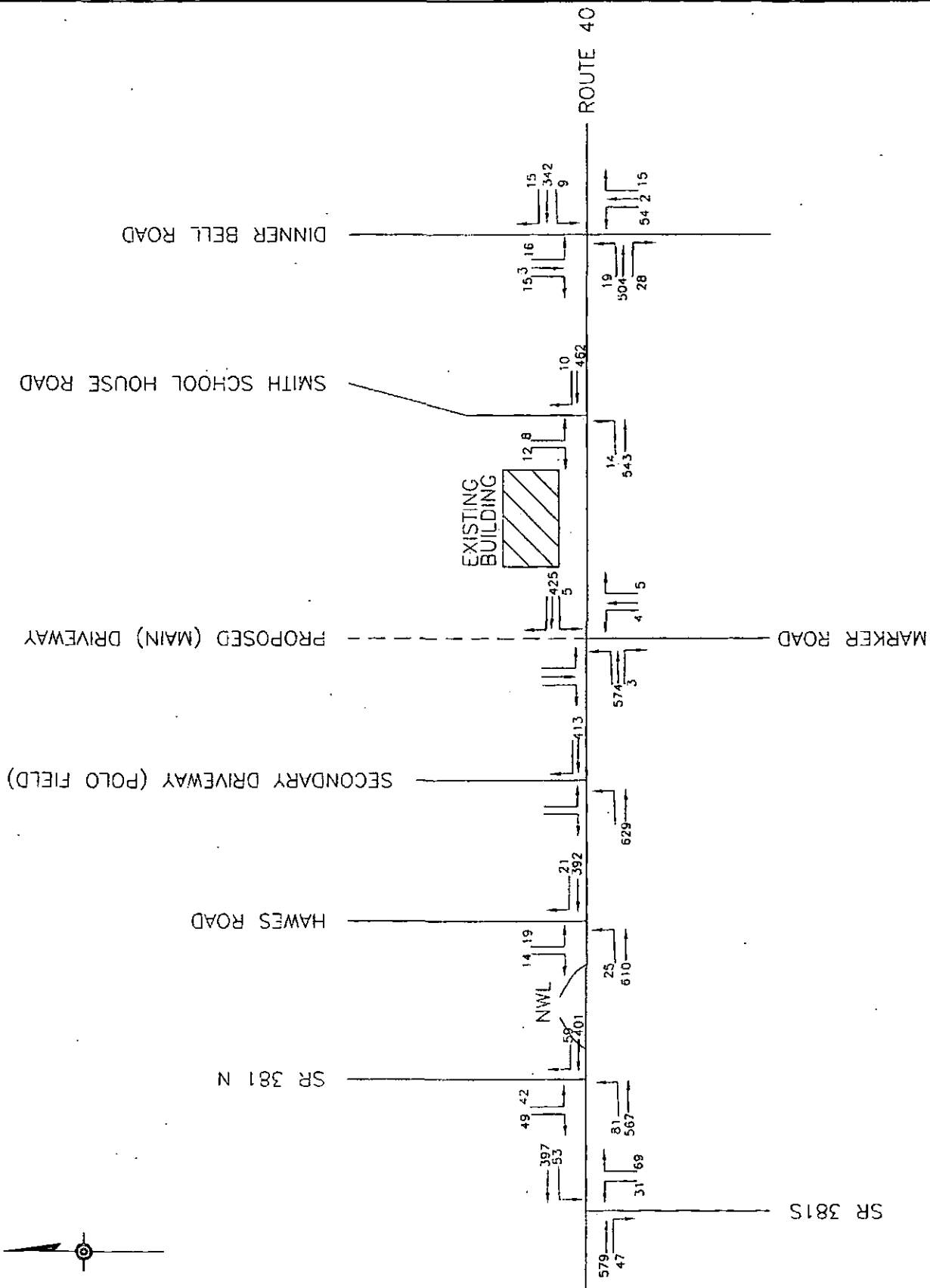
NO.	DESCRIPTION	DATE	BY
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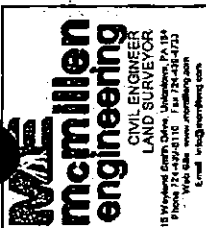
NEMACOLIN WOODLANDS RESORT AND SPA
LADY LUCK NEMACOLIN
PREPARED FOR
WOODLANDS FAYETTE, LLC
WHARTON TOWNSHIP, FAYETTE COUNTY
PENNSYLVANIA

2010 SATURDAY
PEAK HOUR BASE
VOLUMES

DATE	11/23/08	TIME	11/23/08
BY	11/23/08	SCALE	N.T.S.

FIGURE 6B





REVISIONS		DATE	BY
NO.	DESCRIPTION		

NEMACOLIN WOODLANDS RESORT AND SPA

LADY LUCK NEMACOLIN

PREPARED FOR

WOODLANDS FAYETTE, LLC

WARREN TOWNSHIP, FAYETTE COUNTY

PENN57VANA

2020 WEEKDAY PM
PEAK HOUR BASE
VOLUMES

DATE REC	2008 - 308
DATE	11/23/05
TIME	11/23/05
DATE	11/23/05
TIME	11/23/05

N.T.S.

QUESTION

FIGURE 6C

NO.	REVISION	DATE	BY
1			

NEMACOLIN WOODLANDS RESORT AND SPA

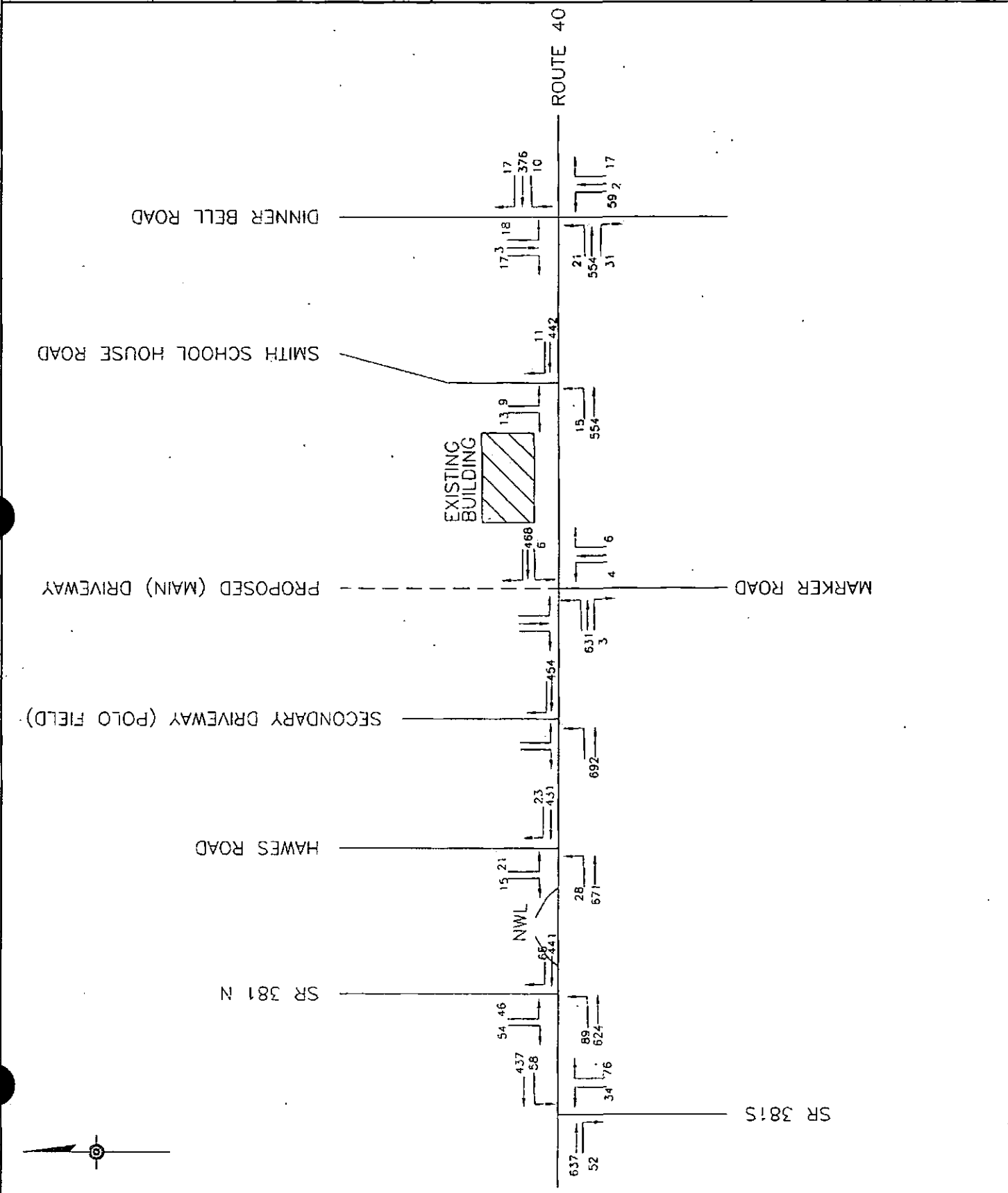
PREPARED FOR
LADY LUCK NEMACOLIN

WOODLANDS FAYETTE, LLC

WHARTON TOWNSHIP, FAYETTE COUNTY
PENNSYLVANIA

DATE	11/23/05	BY	IN	11/23/05
DATE	11/23/05	BY	IN	11/23/05
DATE	11/23/05	BY	IN	11/23/05
DATE	11/23/05	BY	IN	11/23/05
DATE	11/23/05	BY	IN	11/23/05

FIGURE 6D





LAMP CONVEYOR
13 Wayland Street Drive, Uniontown, PA 154
Phone 724-432-4110 Fax 724-432-4232
Web Site www.mclabeng.com
Email info@mclabeng.com

NO.	DISPOSITION	DATE	BY

WOMEN'S
LADY LUCK NEMACOLIN
PREPARED FOR
WOODLANDS FAYETTE, LLC
WHARTON TOWNSHIP, FAYETTE COUNTY,
PENNSYLVANIA

2010 WEEKDAY PM
PEAK HOUR
DEVELOPED
VOLUMES

DATE INCL	NO	AGE YRS	2009 - 309
11/23/05	1R	10-10-19	11/23/05
11/23/05	1RHH	10-10-19	11/23/05
11/23/05	1RHH	10-10-19	11/23/05

FIGURE 7A

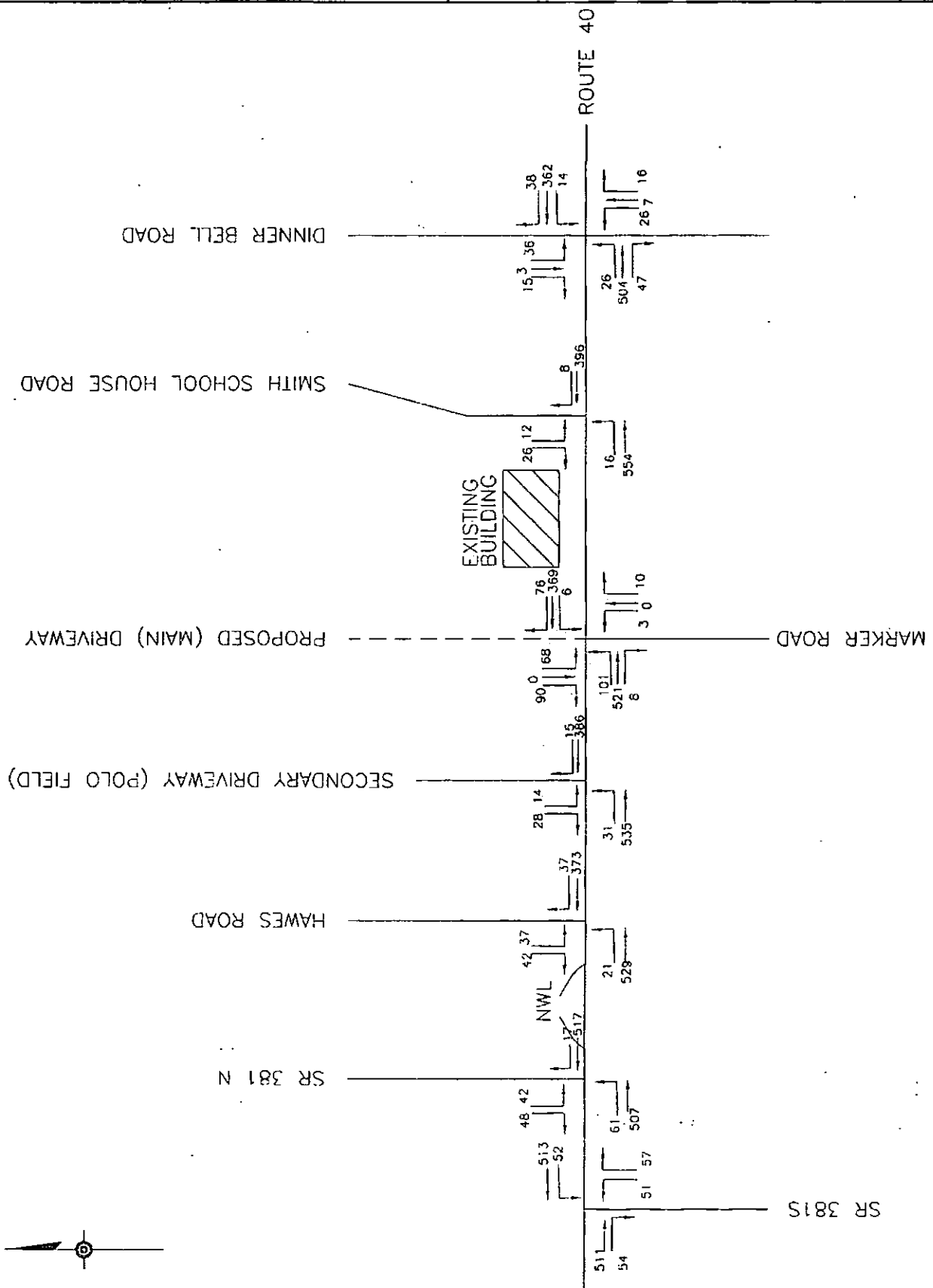


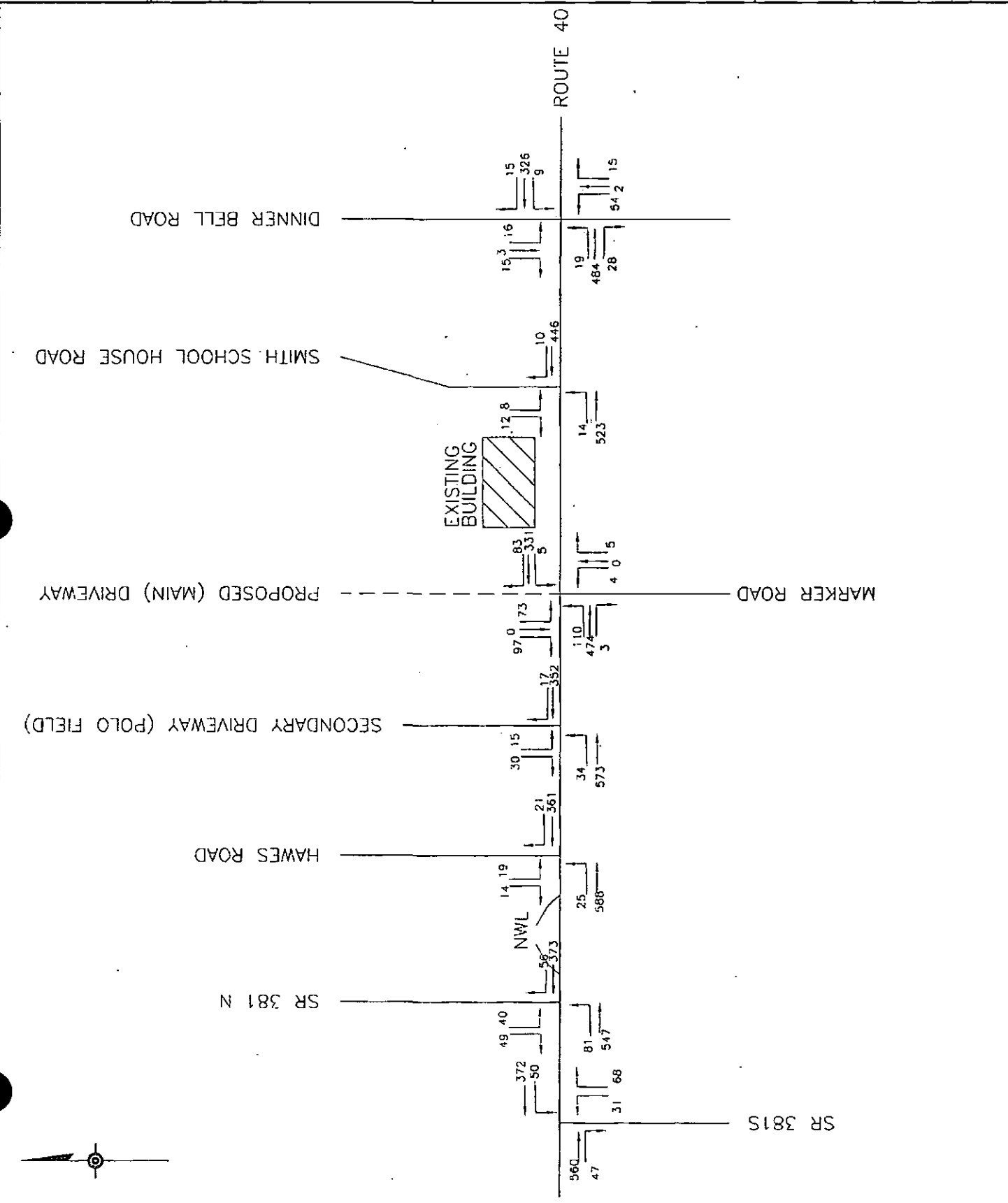
FIGURE 7A

NO.	DESCRIPTION	DATE	BY

NEMACOLIN WOODLANDS RESORT AND SPA
 PREPARED FOR
LADY LUCK NEMACOLIN
WOODLANDS FAYETTE, LLC
 WHARTON TOWNSHIP, FAYETTE COUNTY
 PENNSYLVANIA

2010 SATURDAY PEAK HOUR DEVELOPED VOLUMES			
NO.	DATE	TIME	PERIOD
1	11/23/05	1P	11/23/05
2	11/23/05	1P	11/23/05
3	11/23/05	1P	11/23/05
4	11/23/05	1P	11/23/05
5	11/23/05	1P	11/23/05
6	11/23/05	1P	11/23/05
7	11/23/05	1P	11/23/05
8	11/23/05	1P	11/23/05
9	11/23/05	1P	11/23/05
10	11/23/05	1P	11/23/05
11	11/23/05	1P	11/23/05
12	11/23/05	1P	11/23/05
13	11/23/05	1P	11/23/05
14	11/23/05	1P	11/23/05
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16	11/23/05	1P	11/23/05
17	11/23/05	1P	11/23/05
18	11/23/05	1P	11/23/05
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24	11/23/05	1P	11/23/05
25	11/23/05	1P	11/23/05
26	11/23/05	1P	11/23/05
27	11/23/05	1P	11/23/05
28	11/23/05	1P	11/23/05
29	11/23/05	1P	11/23/05
30	11/23/05	1P	11/23/05
31	11/23/05	1P	11/23/05
32	11/23/05	1P	11/23/05
33	11/23/05	1P	11/23/05
34	11/23/05	1P	11/23/05
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36	11/23/05	1P	11/23/05
37	11/23/05	1P	11/23/05
38	11/23/05	1P	11/23/05
39	11/23/05	1P	11/23/05
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100	11/23/05	1P	11/23/05

FIGURE 7B



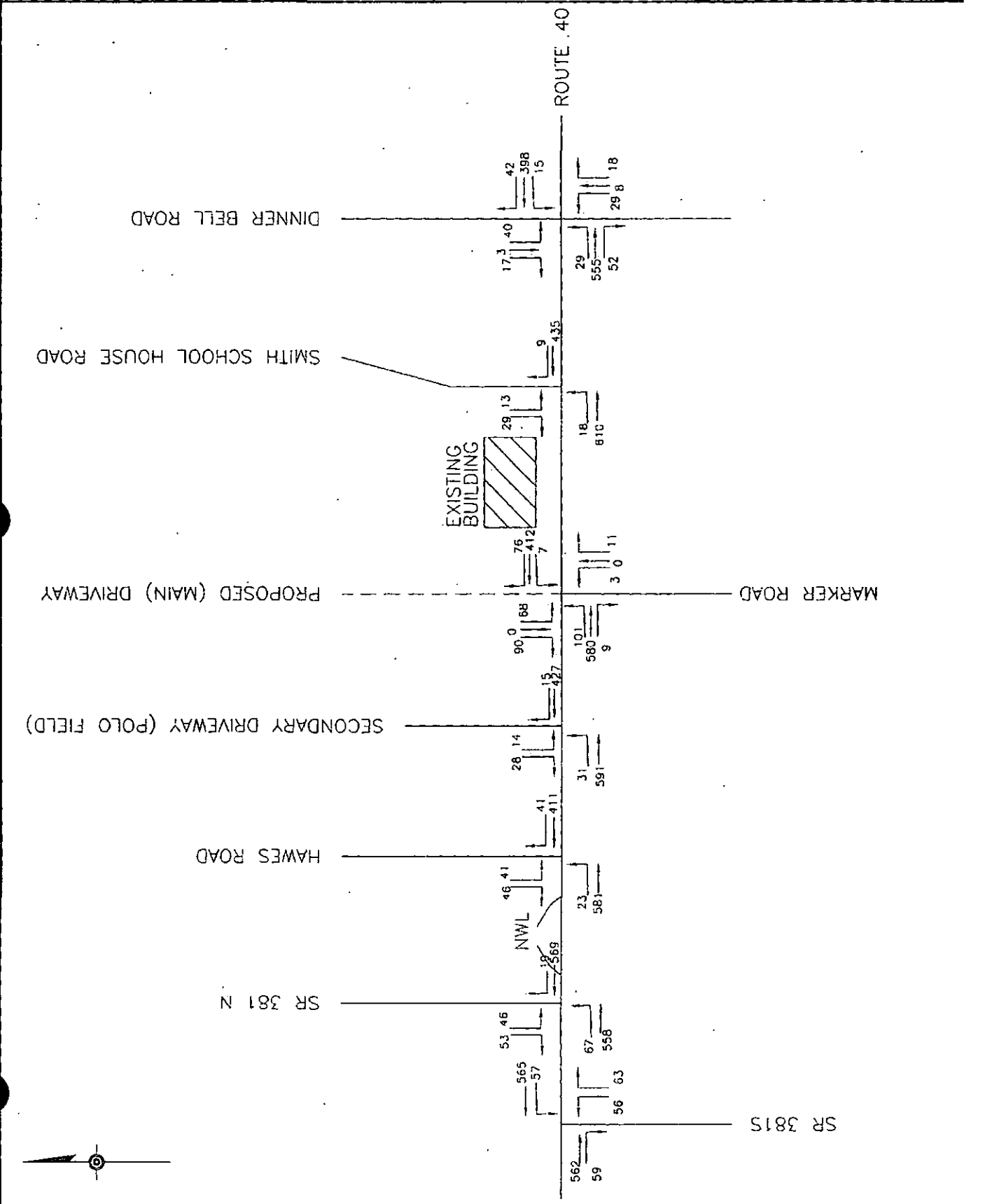
NO.	DATE	BY	REVISIONS
1			

NEMACOLIN WOODLANDS RESORT AND SPA
 PREPARED FOR
LADY LUCK NEMACOLIN
WOODLANDS FAYETTE, LLC
 WHARTON TOWNSHIP, FAYETTE COUNTY
 PENNSYLVANIA

2020 WEEKDAY PM
 PEAK HOUR
 DEVELOPED
 VOLUMES

DATE	11/23/05	TR	11/23/05
BY		APP'D	
DATE	11/23/05	TR	
BY		APP'D	
DATE		TR	
BY		APP'D	

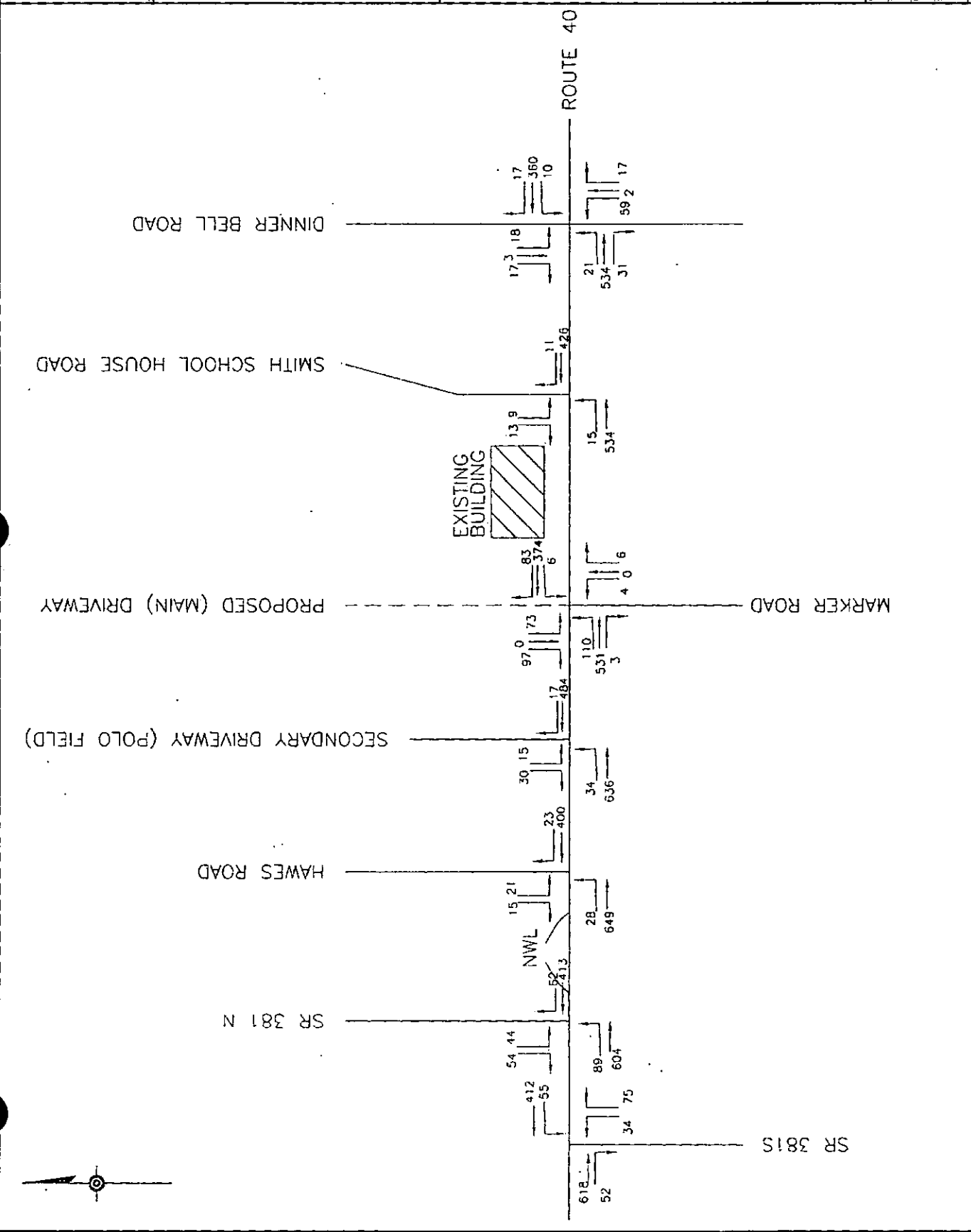
N.T.S.



NO.	REVISIONS	DATE	BY
1			
2			

NEMACOLIN WOODLANDS RESORT AND SPA
LADY LUCK NEMACOLIN
PREPARED FOR
WOODLANDS FAYETTE, LLC
WHARTON TOWNSHIP, FAYETTE COUNTY
PENNSYLVANIA
01/2009 - 10/1/2009 - 30% MARKING 10/5/2009 - 25% MARKING VOLUMES

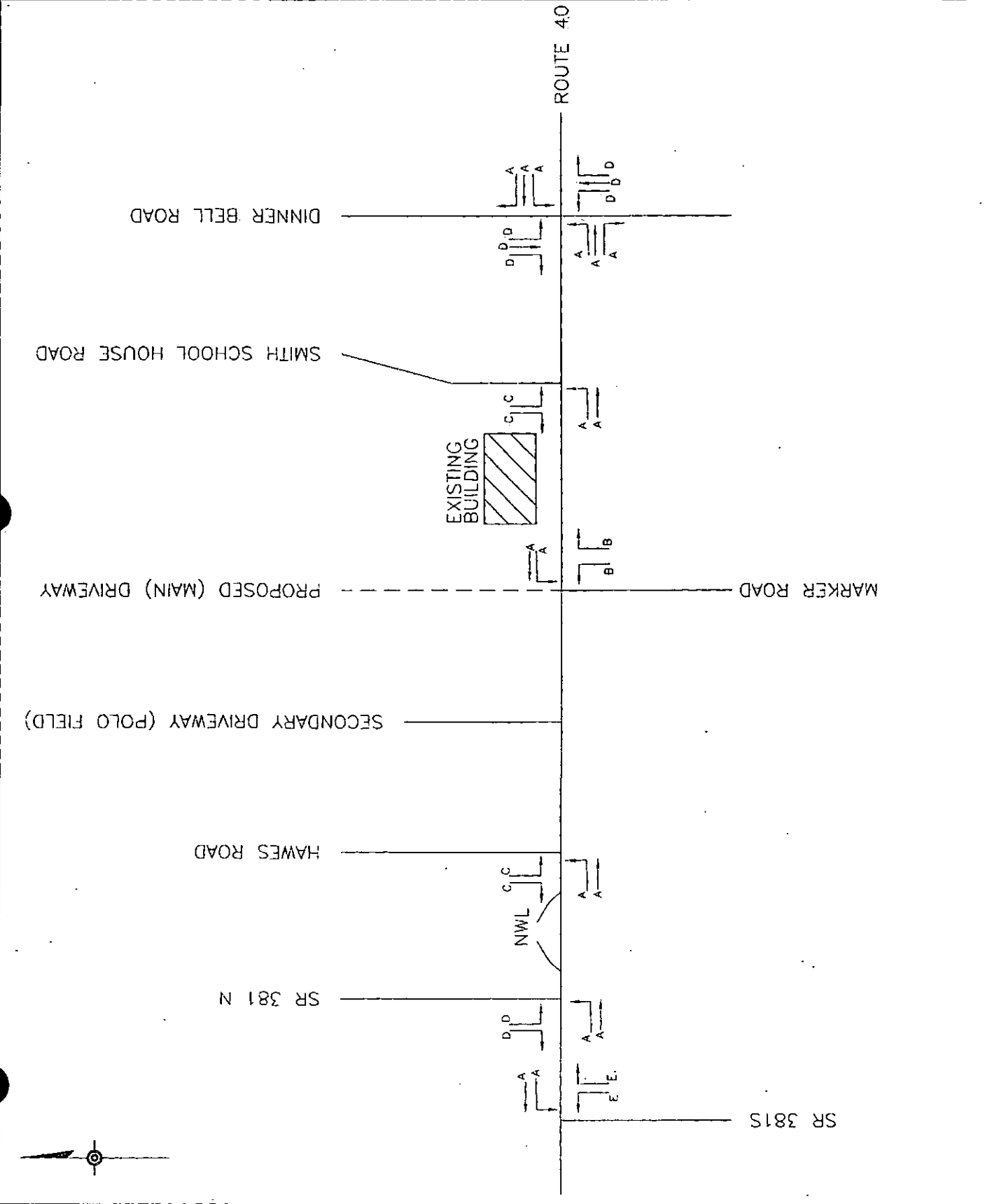
2020 SATURDAY PEAK HOUR DEVELOPED VOLUMES	DATE 11/23/05	BY JTB	APPROVED JTB
DATE 11/23/05	BY JTB	APPROVED JTB	DATE 11/23/05
DATE 11/23/05	BY JTB	APPROVED JTB	DATE 11/23/05

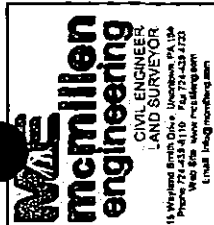


NO.	DESCRIPTION	DATE	BY
1			
REVISIONS			

NEMACOLIN WOODLANDS RESORT AND SPA
 LADY LUCK NEMACOLIN
 PREPARED FOR
WOODLANDS FAYETTE, LLC
 WHARTON TOWNSHIP, FAYETTE COUNTY
 PENNSYLVANIA

DATE	11/23/05	BY	TR	11/23/05
REVISION	11/23/05	APPROVED		
SCALE	N.T.S.			



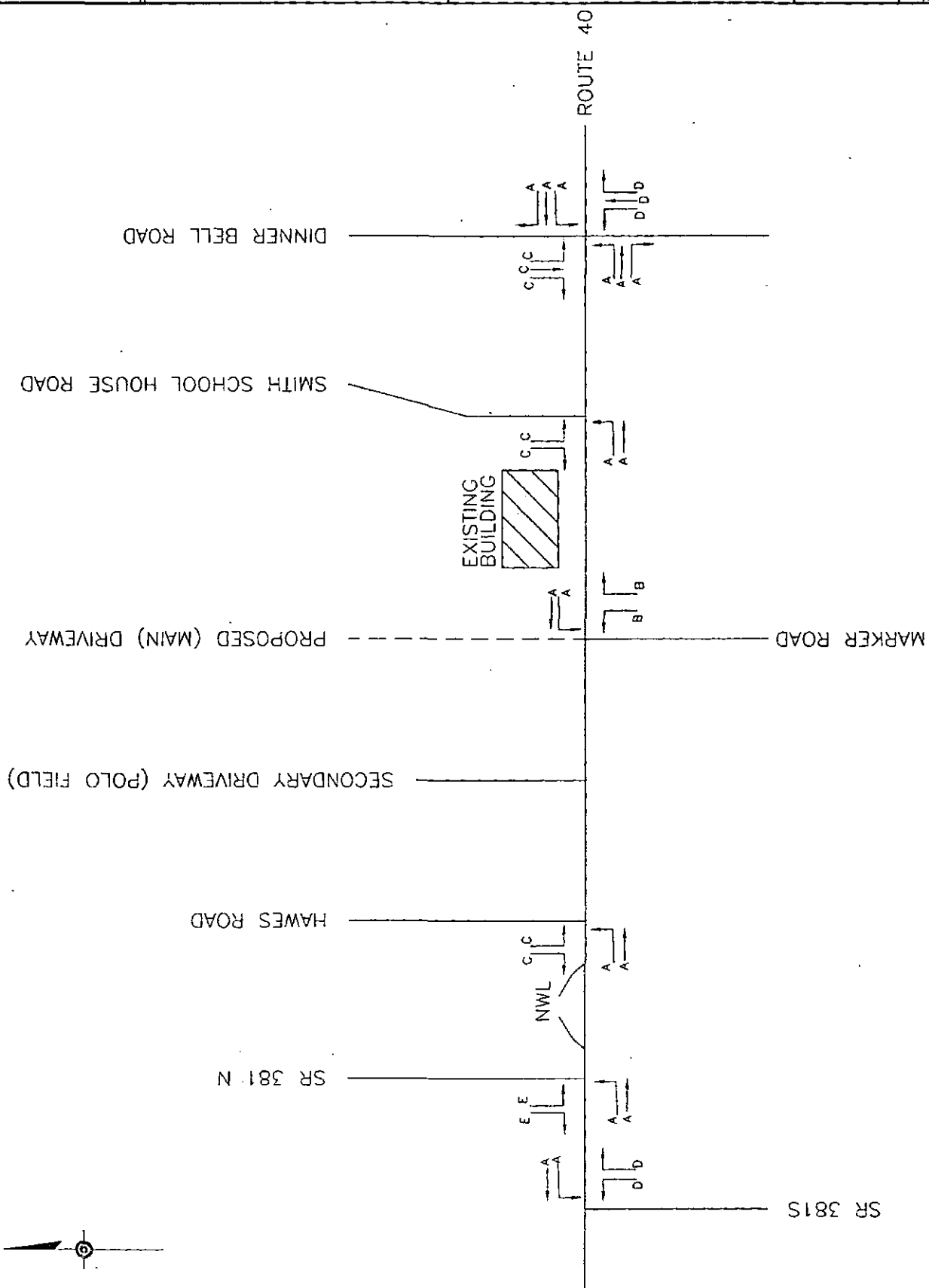


15 Wayland Blvd. Suite 100, Uncasville, CT 06382
Phone 724-238-4110 Fax 724-239-4723
Web Site www.mclibrary.com
Email info@mcclibrary.com

REVISIONS	DESCRIPTION	DATE	BY
1.			

WOODLANDS FAYETTE, LLC
PREPARED FOR
LADY LUCK NEMACOLON
NEMACOLON WOODLANDS RESORT AND SPA
WHARTON TOWNSHIP, FAYETTE COUNTY,
PENNSYLVANIA

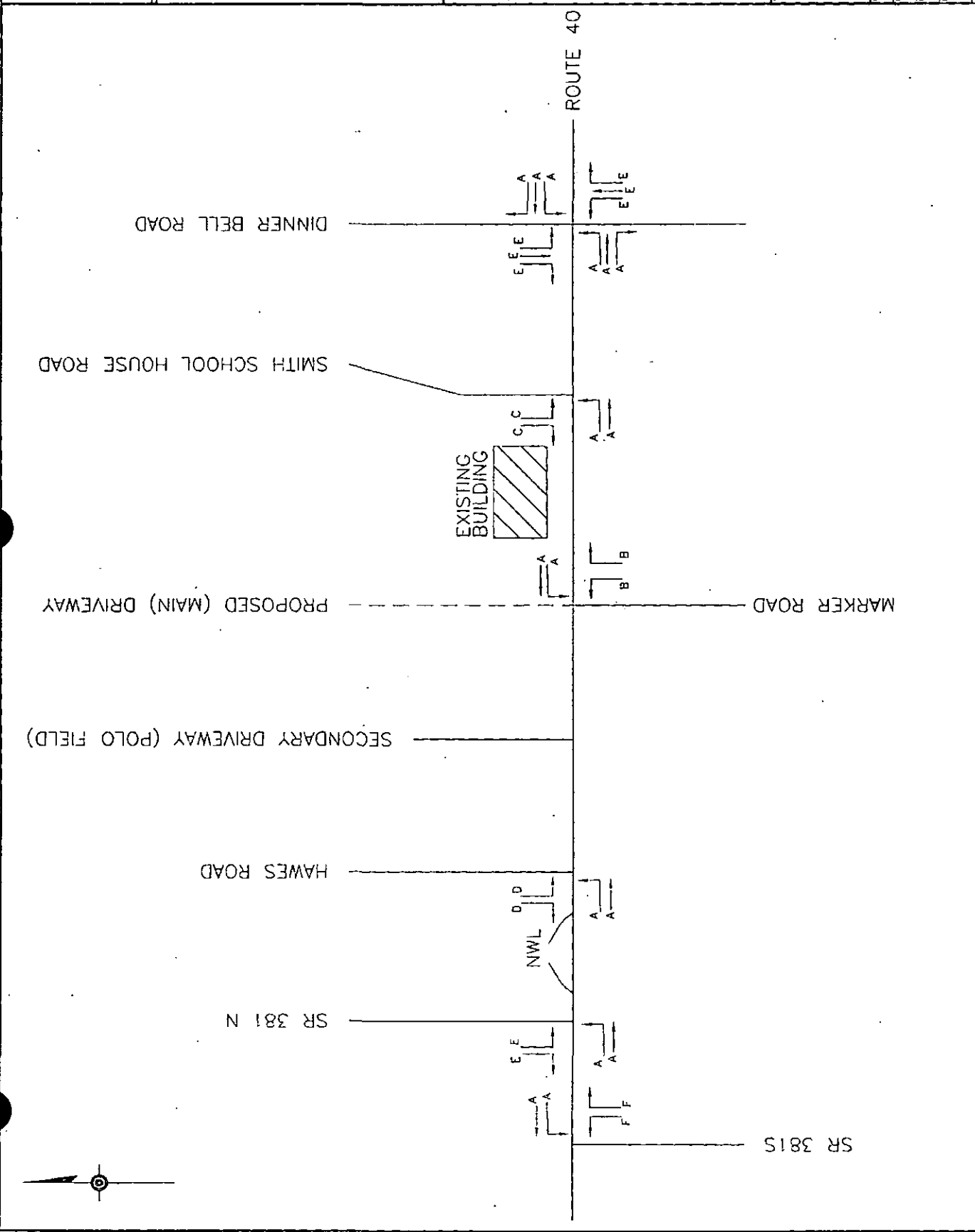
2010 SATURDAY
PEAK HOUR BASE
LEVEL OF SERVICE

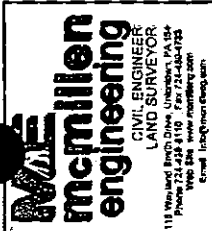
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NO.	DATE	DESCRIPTION
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7	07/20/09	2000-2009
8	07/20/09	2000-2009
9	07/20/09	2000-2009
10	07/20/09	2000-2009

NEMACOLIN WOODLANDS RESORT AND SPA
LADY LUCK NEMACOLIN
PREPARED FOR
WOODLANDS FAYETTE, LLC
WHARTON TOWNSHIP, FAYETTE COUNTY
PENNSYLVANIA

2020 WEEKDAY PM PEAK HOUR BASE LEVEL OF SERVICE	2000-2009
DATE: 11/23/06	REVISION: 11/23/06
BY: [Signature]	APPVED: [Signature]
DATE: 11/23/06	DATE: 11/23/06
SCALE: N.T.S.	SCALE: N.T.S.





with Dong and Jeffery Lewis
118 Westland Birth Drive, Uniontown, PA 154
Phone 724-438-8110 Fax 724-438-4723
www.donglewis.com bcs dcl

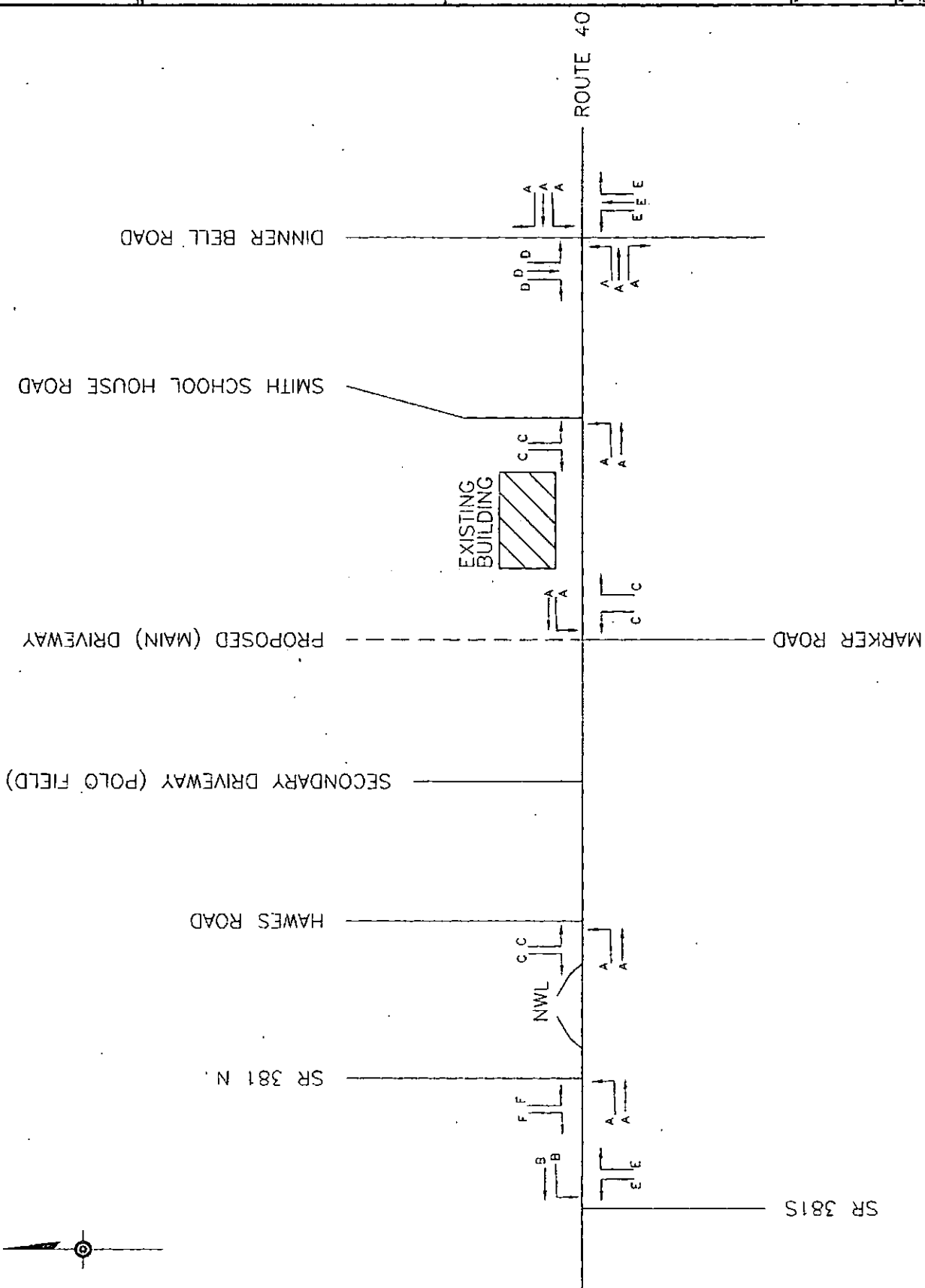
REVISIONS			
NO.	DESCRIPTION	DATE	BY
1.			

WOODLANDS FAYETTE, LLC
PREPARED FOR
LADY LUCK NEMACOLIN
NEMACOLIN WOODLANDS RESORT AND SPA
WHARTON TOWNSHIP, FAYETTE COUNTY
PENNSYLVANIA

2020 SATURDAY
PEAK HOUR BASE
LEVEL OF SERVICE

REPORT NO.	00	DOC NO.	2008-309
DATE	11/23/05	DATE	11/23/05
TIME	10:41	TIME	11
REPORT	11/23/05	REPORT	0
REPORT	11/23/05	REPORT	00

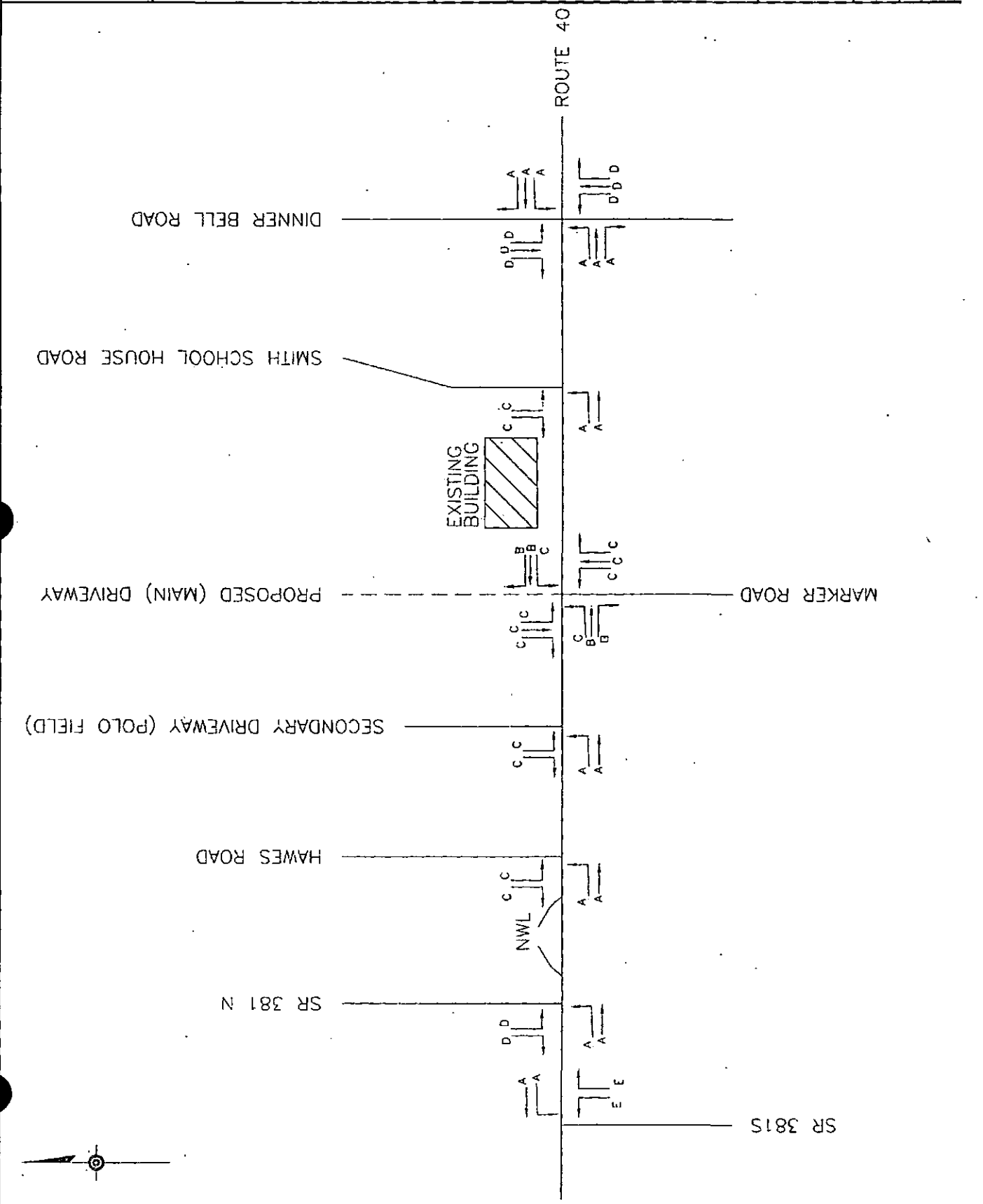
N.T.S.



NO.	DESCRIPTION	DATE	BY

NEMACOLIN WOODLANDS RESORT AND SPA
LADY LUCK NEMACOLIN
PREPARED FOR
WOODLANDS FAYETTE, LLC
WHARTON TOWNSHIP, FAYETTE COUNTY, PENNSYLVANIA

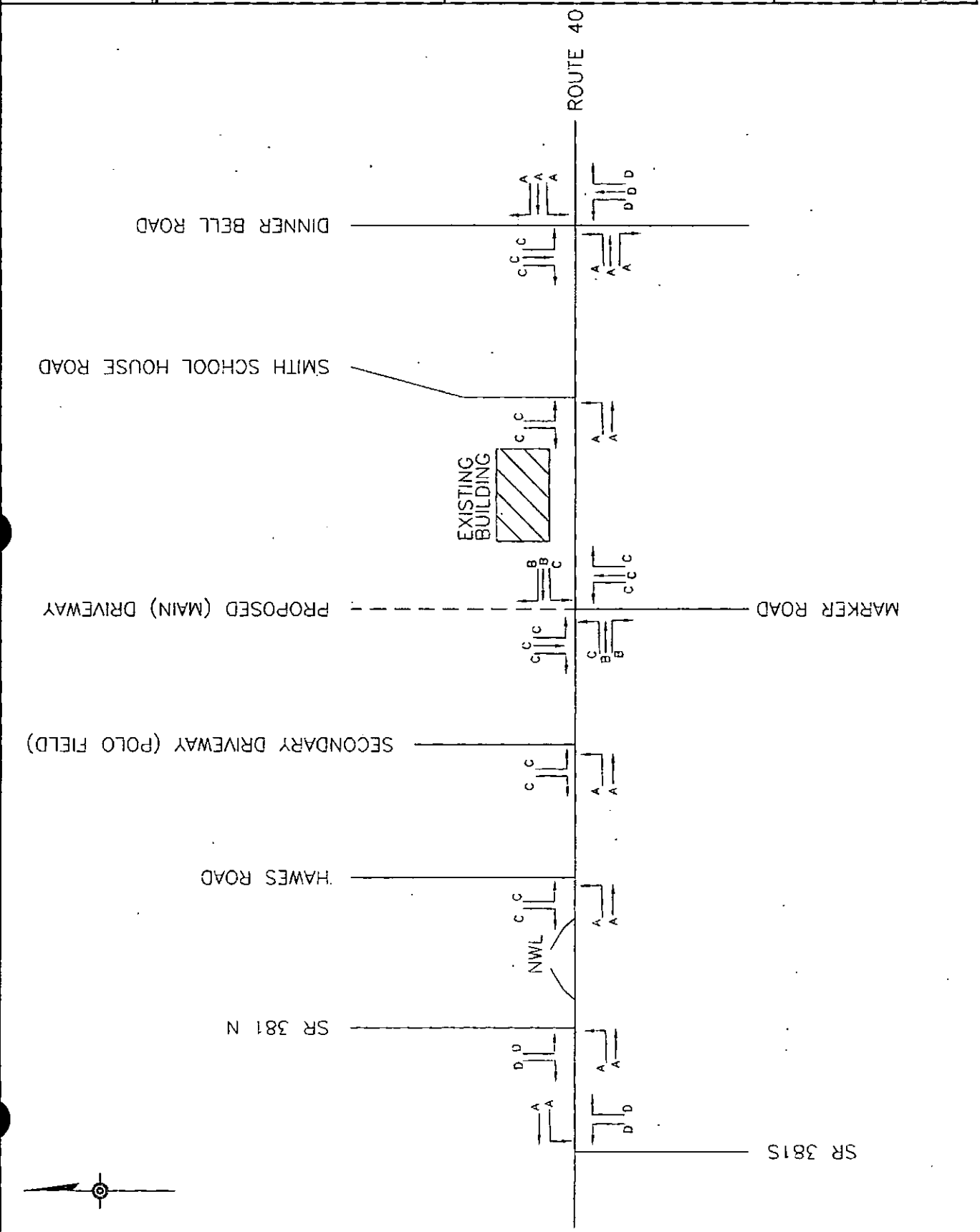
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BY	11/23/05	DATE	11/23/05
BY	11/23/05	DATE	11/23/05
BY	11/23/05	DATE	11/23/05



REVISIONS		NO.	DATE	BY

NEMACOLIN WOODLANDS RESORT AND SPA
LADY LUCK NEMACOLIN
PREPARED FOR
WOODLANDS FAYETTE, LLC
WHARTON TOWNSHIP, FAYETTE COUNTY
PENNSYLVANIA

2010 SATURDAY PEAK HOUR DEVELOPED LEVEL OF SERVICE		DATE	2009-309
DATE	11/23/05	TR	11/23/05
DATE	11/23/05	TR	11/23/05
DATE	11/23/05	TR	11/23/05
DATE	11/23/05	TR	11/23/05



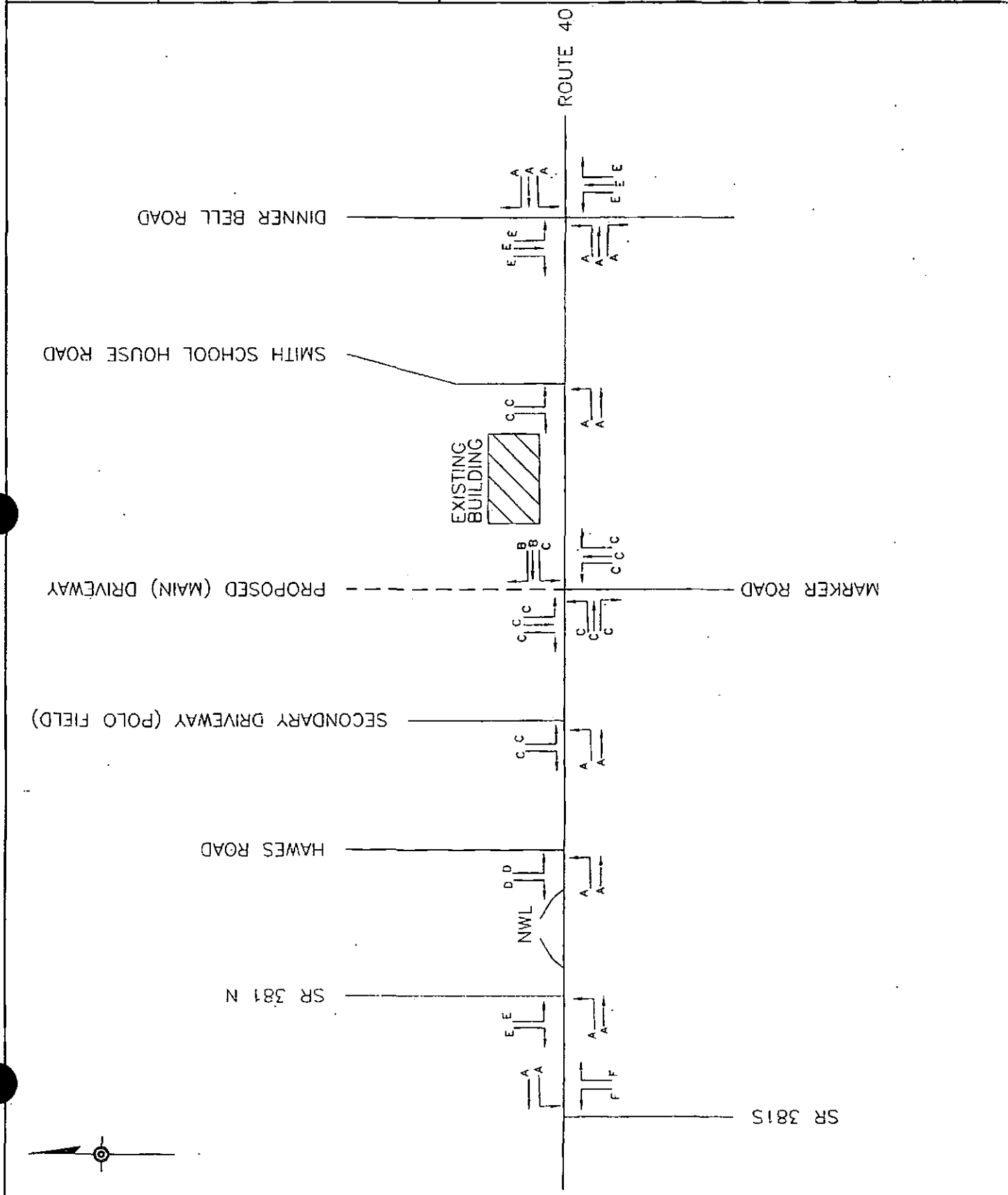
NO.	DESCRIPTION	DATE	BY

NEMACOLIN WOODLANDS RESORT AND SPA
LADY LUCK NEMACOLIN
PREPARED FOR
WOODLANDS FAYETTE, LLC
WHARTON TOWNSHIP, FAYETTE COUNTY
PENNSYLVANIA

2020 WEEKDAY PM
PEAK HOUR
DEVELOPED LEVEL
OF SERVICE

DATE	11/23/03	2003-2009
DESIGNED BY	TR	11/23/03
CHECKED BY	TR	11/23/03
DATE	11/23/03	
SCALE		
PROJECT NUMBER		

N.T.S.
FIGURE 9C



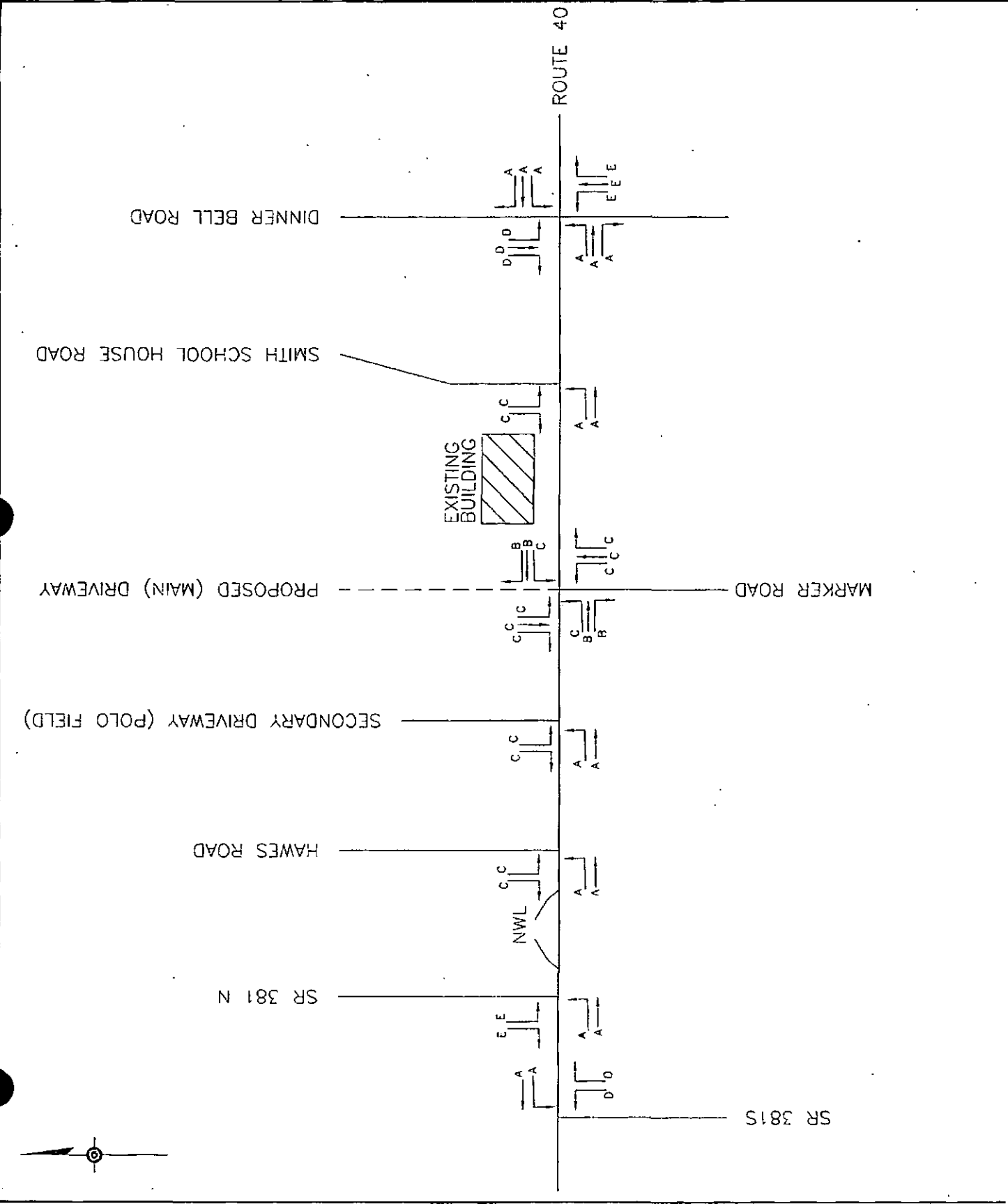
NO.	DATE	BY	DESCRIPTION
1			
2			

NEMACOLIN WOODLANDS RESORT AND SPA
 PREPARED FOR
LADY LUCK NEMACOLIN
WOODLANDS FAYETTE, LLC
 WHATTON TOWNSHIP, FAYETTE COUNTY
 PENNSYLVANIA

2020 SATURDAY
 PEAK HOUR
 DEVELOPED LEVEL
 OF SERVICE

DATE	11/23/05	SCALE	N.T.S.
BY			
CHECKED			
DATE	11/23/05	SCALE	N.T.S.
BY			
CHECKED			

FIGURE 9D



APPENDIX 1

CAPACITY ANALYSIS (2010 BASE CONDITIONS)

TWO-WAY STOP CONTROL SUMMARY								
General Information				Site Information				
Analyst	RH.			Intersection	Route 40/ Marker Road			
Agency/Co.	McMillen Engineering			Jurisdiction				
Date Performed	3/25/10			Analysis Year	2010			
Analysis Time Period	Weekday PM Base							
Project Description: Route 40 and Marker/Proposed Main Driveway								
East/West Street: Route 40				North/South Street: Marker Road				
Intersection Orientation: East-West				Study Period (hrs): 0.25				
Vehicle Volumes and Adjustments								
Major Street	Eastbound			Westbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)		587	8	6	431			
Peak-Hour Factor, PHF	0.50	0.94	0.67	0.50	0.94	0.50		
Hourly Flow Rate, HFR (veh/h)	0	624	11	12	458	0		
Percent Heavy Vehicles	3	--	--	3	--	--		
Median Type	Undivided							
RT Channelized			0			0		
Lanes	0	1	0	0	1	0		
Configuration			TR	LT				
Upstream Signal		0			0			
Minor Street	Northbound			Southbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)	3	0	10					
Peak-Hour Factor, PHF	0.75	0.50	0.62	0.75	0.38	0.63		
Hourly Flow Rate, HFR (veh/h)	4	0	16	0	0	0		
Percent Heavy Vehicles	3	3	3	3	3	3		
Percent Grade (%)	-5			3				
Flared Approach		N			N			
Storage		0			0			
RT Channelized			0			0		
Lanes	0	1	0	0	0	0		
Configuration		LTR						
Delay, Queue Length, and Level of Service								
Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		LT		LTR				
v (veh/h)		12		20				
C (m) (veh/h)		943		460				
v/c		0.01		0.04				
95% queue length		0.04		0.14				
Control Delay (s/veh)		8.9		13.2				
LOS		A		B				
Approach Delay (s/veh)	--	--	13.2					
Approach LOS	--	--	B					

TWO-WAY STOP CONTROL SUMMARY									
General Information					Site Information				
Analyst	RH				Intersection	Route 40/ Marker Road			
Agency/Co.	McMillen Engineering				Jurisdiction				
Date Performed	3/25/10				Analysis Year	2010			
Analysis Time Period	Saturday Base								
Project Description: Route 40 and Marker/Proposed Main Driveway									
East/West Street: Route 40					North/South Street: Marker Road				
Intersection Orientation: East-West					Study Period (hrs): 0.25				
Vehicle Volumes and Adjustments									
Major Street	Eastbound			Westbound					
Movement	1	2	3	4	5	6			
	L	T	R	L	T	R			
Volume (veh/h)		574	3	5	425				
Peak-Hour Factor, PHF	0.50	0.80	0.75	0.62	0.87	0.62			
Hourly Flow Rate, HFR (veh/h)	0	717	4	8	488	0			
Percent Heavy Vehicles	3	--	--	3	--	--			
Median Type:	Undivided								
RT Channelized			0			0			
Lanes	0	1	0	0	1	0			
Configuration			TR	LT					
Upstream Signal		0			0				
Minor Street	Northbound			Southbound					
Movement	7	8	9	10	11	12			
	L	T	R	L	T	R			
Volume (veh/h)	4	0	5						
Peak-Hour Factor, PHF	1.00	0.50	0.42	0.75	0.38	0.63			
Hourly Flow Rate, HFR (veh/h)	4	0	11	0	0	0			
Percent Heavy Vehicles	3	3	3	3	3	3			
Percent Grade (%)	-5			3					
Flared Approach		N			N				
Storage		0			0				
RT Channelized			0			0			
Lanes	0	1	0	0	0	0			
Configuration		LTR							
Delay, Queue Length, and Level of Service									
Approach	Eastbound	Westbound	Northbound			Southbound			
Movement	1	4	7	8	9	10	11	12	
Lane Configuration		LT		LTR					
v (veh/h)		8		15					
C (m) (veh/h)		876		396					
v/c		0.01		0.04					
95% queue length		0.03		0.12					
Control Delay (s/veh)		9.1		14.4					
LOS		A		B					
Approach Delay (s/veh)	--	--	14.4						
Approach LOS	--	--	B						

APPENDIX 2

CAPACITY ANALYSIS (2020 BASE CONDITIONS)

TWO-WAY STOP CONTROL SUMMARY								
General Information					Site Information			
Analyst	RH				Intersection	Route 40/ Marker Road		
Agency/Co.	McMillen Engineering				Jurisdiction			
Date Performed	3/25/10				Analysis Year	2020		
Analysis Time Period	Weekday PM Base							
Project Description Route 40 and Marker/Proposed Main Driveway								
East/West Street: Route 40					North/South Street: Marker Road			
Intersection Orientation: East-West					Study Period (hrs): 0.25			
Vehicle Volumes and Adjustments								
Major Street	Eastbound			Westbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)		646	9	7	474			
Peak-Hour Factor, PHF	0.50	0.94	0.67	0.50	0.94	0.50		
Hourly Flow Rate, HFR (veh/h)	0	687	13	14	504	0		
Percent Heavy Vehicles	3	—	—	3	—	—		
Median Type	Undivided							
RT Channelized			0			0		
Lanes	0	1	0	0	1	0		
Configuration			TR	LT				
Upstream Signal		0			0			
Minor Street	Northbound			Southbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)	3	0	11					
Peak-Hour Factor, PHF	0.75	0.50	0.62	0.75	0.38	0.63		
Hourly Flow Rate, HFR (veh/h)	4	0	17	0	0	0		
Percent Heavy Vehicles	3	3	3	3	3	3		
Percent Grade (%)	-5			3				
Flared Approach		N			N			
Storage		0			0			
RT Channelized			0			0		
Lanes	0	1	0	0	0	0		
Configuration		LTR						
Delay, Queue Length, and Level of Service								
Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		LT		LTR				
v (veh/h)		14		21				
C (m) (veh/h)		892		423				
v/c		0.02		0.05				
95% queue length		0.05		0.16				
Control Delay (s/veh)		9.1		14.0				
LOS		A		B				
Approach Delay (s/veh)	—	—	14.0					
Approach LOS	—	—	B					

TWO-WAY STOP CONTROL SUMMARY							
General Information				Site Information			
Analyst	RH			Intersection	Route 40/ Marker Road		
Agency/Co.	McMillen Engineering			Jurisdiction			
Date Performed	3/25/10			Analysis Year	2020		
Analysis Time Period	Saturday Base						
Project Description: Route 40 and Marker/Proposed Main Driveway							
East/West Street: Route 40				North/South Street: Marker Road			
Intersection Orientation: East-West				Study Period (hrs): 0.25			
Vehicle Volumes and Adjustments							
Major Street	Eastbound			Westbound			
Movement	1	2	3	4	5	6	
	L	T	R	L	T	R	
Volume (veh/h)		631	3	6	468		
Peak-Hour Factor, PHF	0.50	0.80	0.75	0.62	0.87	0.62	
Hourly Flow Rate, HFR (veh/h)	0	788	4	9	537	0	
Percent Heavy Vehicles	3	--	--	3	--	--	
Median Type	Undivided						
RT Channelized			0			0	
Lanes	0	1	0	0	1	0	
Configuration			TR	LT			
Upstream Signal		0			0		
Minor Street	Northbound			Southbound			
Movement	7	8	9	10	11	12	
	L	T	R	L	T	R	
Volume (veh/h)	4	0	6				
Peak-Hour Factor, PHF	1.00	0.50	0.42	0.75	0.38	0.63	
Hourly Flow Rate, HFR (veh/h)	4	0	14	0	0	0	
Percent Heavy Vehicles	3	3	3	3	3	3	
Percent Grade (%)	-5			3			
Flared Approach		N			N		
Storage		0			0		
RT Channelized			0			0	
Lanes	0	1	0	0	0	0	
Configuration		LTR					
Delay, Queue Length, and Level of Service							
Approach	Eastbound	Westbound	Northbound			Southbound	
Movement	1	4	7	8	9	10	11
Lane Configuration		LT		LTR			
v (veh/h)		9		18			
C (m) (veh/h)		824		367			
v/c		0.01		0.05			
95% queue length		0.03		0.15			
Control Delay (s/veh)		9.4		15.3			
LOS		A		C			
Approach Delay (s/veh)	--	--	15.3				
Approach LOS	--	--	C				

APPENDIX 3

CAPACITY ANALYSIS (2010 DEVELOPED CONDITIONS)

SHORT REPORT												
General Information							Site Information					
Analyst <i>RH</i>							Intersection <i>ROUTE 40/MAIN DRIVE</i>					
Agency or Co. <i>McMILLEN ENGINEERING</i>							Area Type <i>All other areas</i>					
Date Performed <i>3/25/10</i>							Jurisdiction					
Time Period <i>WEEKDAY PM PEAK</i>							Analysis Year <i>2010</i>					
<i>DEVELOPED</i>												
Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes	1	1	0	1	1	0	0	1	0	0	1	1
Lane Group	L	TR		L	TR			LTR			LT	R
Volume (vph)	101	521	8	6	369	76	3	0	10	68	0	90
% Heavy Vehicles	3	3	3	3	3	3	3	3	3	3	3	3
PHF	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Pretimed/Actuated (P/A)	A	A	A	A	A	A	A	A	A	A	A	A
Startup Lost Time	2.0	2.0		2.0	2.0			2.0			2.0	2.0
Extension of Effective Green	2.0	2.0		2.0	2.0			2.0			2.0	2.0
Arrival Type	3	3		3	3			3			3	3
Unit Extension	3.0	3.0		3.0	3.0			3.0			3.0	3.0
Ped/Bike/RTOR Volume	0	0	2	0	0	12	0	0	3	0	0	14
Lane Width	10.0	11.0		10.0	11.0			10.0			12.0	16.0
Parking/Grade/Parking	N	5	N	N	-5	N	N	-5	N	N	0	N
Parking/Hour												
Bus Stops/Hour	0	0		0	0			0			0	0
Minimum Pedestrian Time		3.2			3.2			3.2			3.2	
Phasing	Excl. Left	Thru & RT	03	04	NS Perm	06	07	08				
Timing	G = 9.0	G = 34.0	G =	G =	G = 11.0	G =	G =	G =				
	Y = 6	Y = 6	Y =	Y =	Y = 6	Y =	Y =	Y =				
Duration of Analysis (hrs) = 0.25							Cycle Length C = 72.0					
Lane Group Capacity, Control Delay, and LOS Determination												
	EB			WB			NB			SB		
Adjusted Flow Rate	112	586		7	481			11			76	84
Lane Group Capacity	189	776		199	799			213			192	271
v/c Ratio	0.59	0.76		0.04	0.60			0.05			0.40	0.31
Green Ratio	0.13	0.47		0.13	0.47			0.15			0.15	0.15
Uniform Delay d_1	29.8	15.6		27.7	14.0			26.0			27.5	27.1
Delay Factor k	0.18	0.31		0.11	0.19			0.11			0.11	0.11
Incremental Delay d_2	4.9	4.3		0.1	1.3			0.1			1.3	0.7
PF Factor	1.000	1.000		1.000	1.000			1.000			1.000	1.000
Control Delay	34.7	19.8		27.8	15.3			26.1			28.8	27.8
Lane Group LOS	C	B		C	B			C			C	C
Approach Delay	22.2			15.5			26.1			28.3		
Approach LOS	C			B			C			C		
Intersection Delay	20.5			Intersection LOS						C		

SHORT REPORT												
General Information							Site Information					
Analyst <i>RH</i> Agency or Co. <i>McMILLEN ENGINEERING</i> Date Performed <i>3/25/10</i> Time Period <i>SATURDAY AM PEAK DEVELOPED</i>							Intersection <i>ROUTE 40/MAIN DRIVE</i> Area Type <i>All other areas</i> Jurisdiction Analysis Year <i>2010</i>					
Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes	1	1	0	1	1	0	0	1	0	0	1	1
Lane Group	L	TR		L	TR			LTR			LT	R
Volume (vph)	110	474	3	5	331	83	4	0	5	73	0	97
% Heavy Vehicles	3	3	3	3	3	3	3	3	3	3	3	3
PHF	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Pretimed/Actuated (P/A)	A	A	A	A	A	A	A	A	A	A	A	A
Startup Lost Time	2.0	2.0		2.0	2.0			2.0			2.0	2.0
Extension of Effective Green	2.0	2.0		2.0	2.0			2.0			2.0	2.0
Arrival Type	3	3		3	3			3			3	3
Unit Extension	3.0	3.0		3.0	3.0			3.0			3.0	3.0
Ped/Bike/RTOR Volume	0	0	1	0	0	13	0	0	1	0	0	15
Lane Width	10.0	11.0		10.0	11.0			10.0			12.0	16.0
Parking/Grade/Parking	N	5	N	N	-5	N	N	-5	N	N	0	N
Parking/Hour												
Bus Stops/Hour	0	0		0	0			0			0	0
Minimum Pedestrian Time		3.2			3.2			3.2			3.2	
Phasing	Excl. Left	Thru & RT	03	04	NS Perm	06	07	08				
Timing	G = 10.0	G = 33.0	G =	G =	G = 12.0	G =	G =	G =				
	Y = 6	Y = 6	Y =	Y =	Y = 6	Y =	Y =	Y =				
Duration of Analysis (hrs) = 0.25							Cycle Length C = 73.0					
Lane Group Capacity, Control Delay, and LOS Determination												
	EB			WB			NB			SB		
Adjusted Flow Rate	122	529		6	446			8			81	91
Lane Group Capacity	207	744		218	762			224			207	292
v/c Ratio	0.59	0.71		0.03	0.59			0.04			0.39	0.31
Green Ratio	0.14	0.45		0.14	0.45			0.16			0.16	0.16
Uniform Delay d ₁	29.6	16.1		27.3	14.9			25.6			27.2	26.9
Delay Factor k	0.18	0.27		0.11	0.18			0.11			0.11	0.11
Incremental Delay d ₂	4.4	3.2		0.1	1.2			0.1			1.2	0.6
PF Factor	1.000	1.000		1.000	1.000			1.000			1.000	1.000
Control Delay	34.0	19.3		27.3	16.1			25.7			28.5	27.5
Lane Group LOS	C	B		C	B			C			C	C
Approach Delay	22.1			16.2			25.7			27.9		
Approach LOS	C			B			C			C		
Intersection Delay	20.8			Intersection LOS						C		

APPENDIX 4

CAPACITY ANALYSIS (2020 DEVELOPED CONDITIONS)

SHORT REPORT												
General Information							Site Information					
Analyst <i>RH</i>							Intersection <i>ROUTE 40/MAIN DRIVE</i>					
Agency or Co. <i>McMILLEN ENGINEERING</i>							Area Type <i>All other areas</i>					
Date Performed <i>3/25/10</i>							Jurisdiction					
Time Period <i>WEEKDAY PM PEAK</i>							Analysis Year <i>2020</i>					
<i>DEVELOPED</i>												
Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes	1	1	0	1	1	0	0	1	0	0	1	1
Lane Group	L	TR		L	TR			LTR			LT	R
Volume (vph)	101	580	9	7	412	76	3	0	11	68	0	90
% Heavy Vehicles	3	3	3	3	3	3	3	3	3	3	3	3
PHF	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Pretimed/Actuated (P/A)	A	A	A	A	A	A	A	A	A	A	A	A
Startup Lost Time	2.0	2.0		2.0	2.0			2.0			2.0	2.0
Extension of Effective Green	2.0	2.0		2.0	2.0			2.0			2.0	2.0
Arrival Type	3	3		3	3			3			3	3
Unit Extension	3.0	3.0		3.0	3.0			3.0			3.0	3.0
Ped/Bike/RTOR Volume	0	0	2	0	0	12	0	0	3	0	0	14
Lane Width	10.0	11.0		10.0	11.0			10.0			12.0	16.0
Parking/Grade/Parking	N	5	N	N	-5	N	N	-5	N	N	0	N
Parking/Hour												
Bus Stops/Hour	0	0		0	0			0			0	0
Minimum Pedestrian Time		3.2			3.2			3.2			3.2	
Phasing	Excl. Left	Thru & RT	03	04	NS Perm	06	07	08				
Timing	G = 9.0	G = 33.0	G =	G =	G = 12.0	G =	G =	G =				
	Y = 6	Y = 6	Y =	Y =	Y = 6	Y =	Y =	Y =				
Duration of Analysis (hrs) = 0.25							Cycle Length C = 72.0					
Lane Group Capacity, Control Delay, and LOS Determination												
	EB			WB			NB			SB		
Adjusted Flow Rate	112	652		8	529			12			76	84
Lane Group Capacity	189	754		199	778			234			209	296
v/c Ratio	0.59	0.86		0.04	0.68			0.05			0.36	0.28
Green Ratio	0.13	0.46		0.13	0.46			0.17			0.17	0.17
Uniform Delay d_1	29.8	17.5		27.7	15.3			25.2			26.6	26.2
Delay Factor k	0.18	0.39		0.11	0.25			0.11			0.11	0.11
Incremental Delay d_2	4.9	10.3		0.1	2.4			0.1			1.1	0.5
PF Factor	1.000	1.000		1.000	1.000			1.000			1.000	1.000
Control Delay	34.7	27.8		27.8	17.8			25.3			27.7	26.8
Lane Group LOS	C	C		C	B			C			C	C
Approach Delay	28.8			17.9			25.3			27.2		
Approach LOS	C			B			C			C		
Intersection Delay	24.6			Intersection LOS						C		

SHORT REPORT												
General Information							Site Information					
Analyst <i>RH</i>							Intersection <i>ROUTE 40/MAIN DRIVE</i>					
Agency or Co. <i>McMILLEN ENGINEERING</i>							Area Type <i>All other areas</i>					
Date Performed <i>3/25/10</i>							Jurisdiction					
Time Period <i>SATURDAY AM PEAK DEVELOPED</i>							Analysis Year <i>2020</i>					
Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes	1	1	0	1	1	0	0	1	0	0	1	1
Lane Group	L	TR		L	TR			LTR			LT	R
Volume (vph)	110	531	3	6	374	83	4	0	6	73	0	97
% Heavy Vehicles	3	3	3	3	3	3	3	3	3	3	3	3
PHF	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
Pretimed/Actuated (P/A)	A	A	A	A	A	A	A	A	A	A	A	A
Startup Lost Time	2.0	2.0		2.0	2.0			2.0			2.0	2.0
Extension of Effective Green	2.0	2.0		2.0	2.0			2.0			2.0	2.0
Arrival Type	3	3		3	3			3			3	3
Unit Extension	3.0	3.0		3.0	3.0			3.0			3.0	3.0
Ped/Bike/RTOR Volume	0	0	1	0	0	13	0	0	2	0	0	15
Lane Width	10.0	11.0		10.0	11.0			10.0			12.0	16.0
Parking/Grade/Parking	N	5	N	N	-5	N	N	-5	N	N	0	N
Parking/Hour												
Bus Stops/Hour	0	0		0	0			0			0	0
Minimum Pedestrian Time		3.2			3.2			3.2			3.2	
Phasing	Excl. Left	Thru & RT	03	04	NS Perm	06	07	08				
Timing	G = 10.0	G = 35.0	G =	G =	G = 10.0	G =	G =	G =				
	Y = 6	Y = 6	Y =	Y =	Y = 6	Y =	Y =	Y =				
Duration of Analysis (hrs) = 0.25							Cycle Length C = 73.0					
Lane Group Capacity, Control Delay, and LOS Determination												
	EB			WB			NB			SB		
Adjusted Flow Rate	122	592		7	494			8			81	91
Lane Group Capacity	207	789		218	811			182			173	243
v/c Ratio	0.59	0.75		0.03	0.61			0.04			0.47	0.37
Green Ratio	0.14	0.48		0.14	0.48			0.14			0.14	0.14
Uniform Delay d ₁	29.6	15.4		27.3	14.0			27.3			29.0	28.7
Delay Factor k	0.18	0.31		0.11	0.20			0.11			0.11	0.11
Incremental Delay d ₂	4.4	4.0		0.1	1.3			0.1			2.0	1.0
PF Factor	1.000	1.000		1.000	1.000			1.000			1.000	1.000
Control Delay	34.0	19.5		27.4	15.3			27.4			31.0	29.6
Lane Group LOS	C	B		C	B			C			C	C
Approach Delay	22.0			15.5			27.4			30.3		
Approach LOS	C			B			C			C		
Intersection Delay	20.7			Intersection LOS						C		

APPENDIX 5

SIGNAL WARRANT ANALYSIS

Signal Warrant Analysis

SR 0040 / Casino Driveway and Marker Road

Warrant 1: N/A

Warrant 2: N/A

Warrant 3: Intersection meets criteria for traffic signal, see the following figure

Warrant 4: N/A

Warrant 5: N/A

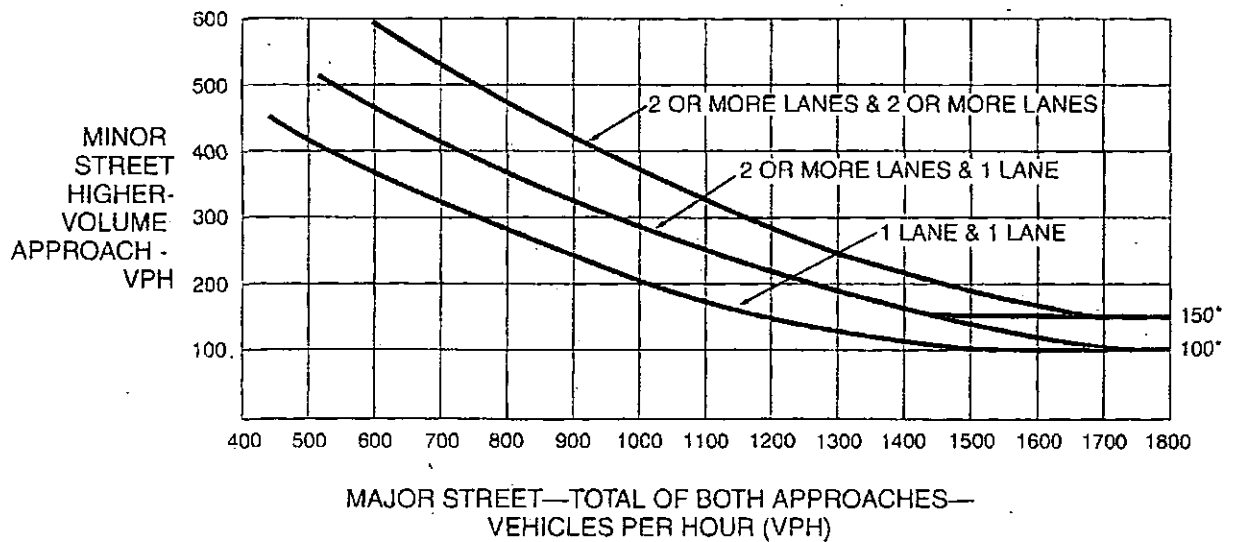
Warrant 6: N/A

Warrant 7: N/A

Warrant 8: N/A

Warrant 9: N/A

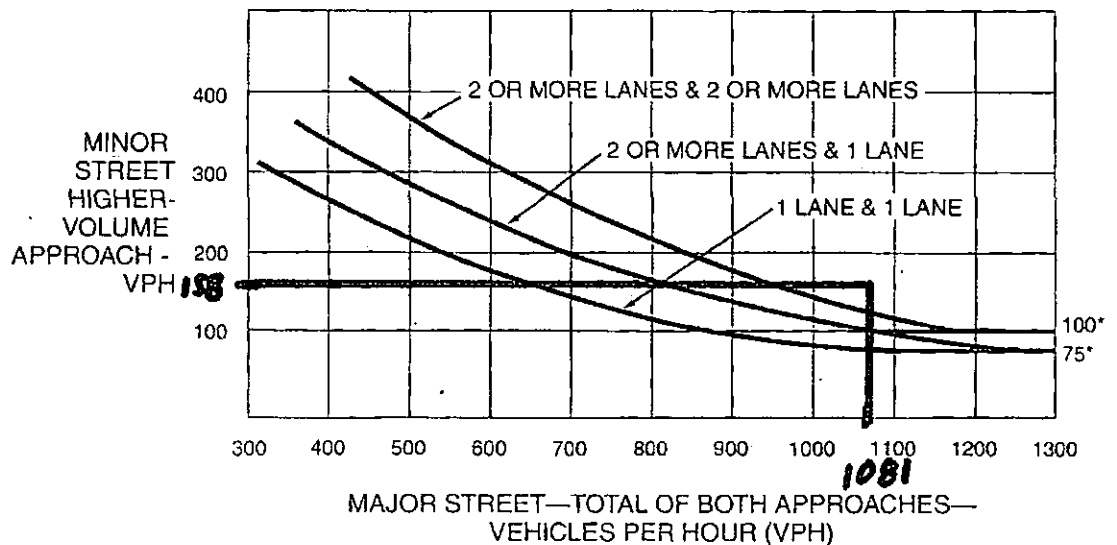
Figure 4C-3. Warrant 3, Peak Hour



*Note: 150 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 100 vph applies as the lower threshold volume for a minor-street approach with one lane.

Figure 4C-4. Warrant 3, Peak Hour (70% Factor)

(COMMUNITY LESS THAN 10,000 POPULATION OR ABOVE 40 MPH ON MAJOR STREET)



*Note: 100 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 75 vph applies as the lower threshold volume for a minor-street approach with one lane.